

agency's comments must also be sent to the Applicant's representatives.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Accepted for Filing and Soliciting Motions to Intervene, Protests, and Comments

July 18, 2001.

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

- a. *Type of Application:* Preliminary Permit.
- b. *Project No.:* 12055-000.
- c. *Date filed:* June 20, 2001.
- d. *Applicant:* Dakota Pumped Storage, LLC.
- e. *Name of Project:* Dakota Pumped Storage.

f. *Location:* On the Missouri River in Charles Mix and Gregory Counties, South Dakota.

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

h. *Applicant Contact:* Robert P. Larson, Gray, Plant, Mooty & Bennett, 33 South 6th Street, Minneapolis, MN 55406, (612) 343-2913; Douglas A. Spaulding, Spaulding Consultants, 1433 Utica Ave. South, Suite 162, Minneapolis, MN 55416, (652) 544-8133.

i. *FERC Contact:* Elizabeth Jones (202) 208-0246.

j. *Deadline for filing motions to intervene, protests and comments:* 60 days from the issuance date of this notice.

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. Comments, 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.

Please include the Project Number (12055-000) on any comments, protests, or motions filed.

The Commission's Rules of Practice and Procedure require all interveners filing a document with the Commission to serve a copy of that document on each person in 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. *Description of Project:* The proposed project is a pumped storage project that would use Lake Francis Case created by the U.S. Corps of Engineers' Fort Randall Dam as the lower reservoir and would consist of: (1) a proposed 27-foot-high, 30,000-foot-long earth fill dam; a proposed upper reservoir having a maximum surface area of 1,200-acres, a storage capacity of 20,000 acre-feet, a maximum water surface elevation of 5,523 feet msl., and a proposed power intake, (2) a proposed power tunnel consisting of a 724-foot deep, 24-foot diameter shaft, connecting the upper reservoir to the power tunnel, (3) a proposed 9,360-foot long, 24-foot diameter power tunnel connecting the shaft with three penstocks, each 18-feet in diameter, (4) a proposed powerhouse containing two generating units with a total installed capacity of 600 MW, (5) a proposed 2,000-foot, 130-foot wide channel connecting the powerhouse to Lake Francis Case, (6) the lower reservoir, formed by Lake Francis Case is impounded by the Corps of Engineers Fort Randall Dam, (7) three proposed 345 kV transmission lines, and (8) appurtenant facilities.

The project would have an estimated annual generation of 867 GWh.

l. Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the Commission's web site at <http://www.ferc.gov> using the "RIMS" link, select "Docket #" and follow the instructions ((202)208-2222 for assistance).

m. *Preliminary Permit*—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

n. *Preliminary Permit*—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a

competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

o. *Notice of Intent*—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

p. *Proposed Scope of Studies under Permit*—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

q. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

r. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory

Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

s. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

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FEDERAL COMMUNICATIONS COMMISSION

Privacy Act; System of Records

AGENCY: Federal Communications Commission (FCC or Commission).

ACTION: Notice; one altered Privacy Act system of records; one revised routine use; one proposed new routine use; one deleted routine use; and one purged system of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, as amended, 5 U.S.C. 552a(e)(4), the FCC proposes to alter a systems of records, FCC/CIB-1, "Informal Complaints and Inquiries," to incorporate the provisions of FCC/CIB-4, "Telephone and Electronic Contacts," to revise the routine uses, and to make other edits and revisions as necessary. The FCC will eliminate FCC/CIB-4.

DATES: Any interested person may submit written comments concerning the routine uses of this system on or before August 23, 2001. Pursuant to Appendix I, 4(e) of OMB Circular A-130, the FCC is asking the Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act, to grant a waiver of the 40 day review period by OMB, the House of Representatives, and the Senate for this system of records to allow the FCC to release a Report and Order related to this system of records. The proposed altered system shall be effective on August 23, 2001 unless the FCC receives comments that require a contrary

determination. The Commission will publish a document in the **Federal Register** notifying the public if any changes are necessary.

ADDRESSES: Address comments to the Les Smith, Performance Evaluation and Record Management (PERM), Room 1-A804, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554, or via the Internet at lesmith@fcc.gov; or to Edward Springer, FCC Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10236, NEOB, 725 17th Street, NW, Washington, DC 20503, or via the Internet at Edward_C_Springer@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: Les Smith, Performance Evaluation and Records Management, Room 1-A804, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554, or via the Internet at lesmith@fcc.gov; or Arthur Scrutchins, Staff Attorney, Office of the Bureau Chief, Consumer Information Bureau, Room 3-A234, Federal Communications Commission, at (202) 418-2184, or via the Internet at ascrutch@fcc.gov.

SUPPLEMENTARY INFORMATION: As required by the Privacy Act of 1974, 5 U.S.C. 552a(e)(4), this document sets forth notice of the proposed alteration of a system of records maintained by the FCC. This notice is a summary of more detailed information which may be viewed at the location given in the **ADDRESSES** section above. The purpose of altering FCC/CIB-1, "Information Complaints and Inquiries," is to enable the Consumer Information Bureau to handle and process informal complaints received from individuals, groups, and other entities. Records in this system are available for public inspection after redaction of information, which could identify the complainant or correspondent, i.e., name, address, and/or telephone number.

The Commission proposes to achieve this purpose by altering this system of records, FCC/CIB-1, "Informal Complaints and Inquiries," with these changes:

The incorporation of the data elements of another system of records, FCC/CIB-4, "Telephone and Electronic Contacts," into FCC/CIB-1; The elimination of FCC/CIB-4;

The revision of one routine use to address informal complaints:

Routine use (1) to allow disclosure when a record in this system involves an informal complaint, the complaint may be forwarded to the defendant entity for a response.

The addition of one routine use:

Routine use (2) to allow disclosure when an order or other Commission-issued document that includes consideration of informal complaints is entered by the FCC to implement the Communications Act, pertinent rule, regulation, or order of the FCC, the complainant's name and/or telephone number may be made public in that order or document;

The deletion of one routine use pursuant to 5 U.S.C. 552a(b)(3):

Former routine use (4) to disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit; and

The revision or modification of various data elements in FCC/CIB-1, including editorial changes, to update, simplify, or clarify, as necessary, this system of records.

The FCC will use FCC/CIB-1 to handle and process informal complaints received by individuals, groups, and other entities. Records in this system are available for public inspection after redaction of information, which could identify the complainant or correspondent, i.e., name, address, and/or telephone number. The functions in this system of records will be performed by the Consumer Information Bureau (CIB).

This notice meets the requirement documenting the change in the Commission's system of records, and provides the public, Congress, and the Office of Management and Budget (OMB) an opportunity to comment.

FCC/CIB-1

SYSTEM NAME:

Informal Complaints and Inquiries.

SECURITY CLASSIFICATION:

This material has not received a security classification at this time. The OSCAR system is currently undergoing a security review.

SYSTEM LOCATION:

Chief, Consumer Information Bureau, Room 5-C758, Federal Communications Commission (FCC), 445 12th Street, SW., Washington, DC 20554 and 1270 Fairfield Road, Gettysburg, PA 17325.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals, groups, and other entities who have made informal complaints or inquiries in any format, including but not limited to, paper, telephone, and electronic submissions, on matters