

NEP states that copies of the filing have been served upon all of its Tariff No. 9 customers and regulators in the States of Massachusetts, Rhode Island and New Hampshire.

*Comment date:* October 23, 2001, in accordance with Standard Paragraph E at the end of this notice.

**12. Dresden Energy, LLC, S.W.E.C., LLC, Armstrong Energy Limited Partnership, LLLP, Troy Energy, LLC, Pleasants Energy, LLC**

[Docket No. ER02-22-000; Docket No. ER02-23-000; Docket No. ER02-24-000; Docket No. ER02-25-000; Docket No. ER02-26-000]

Take notice that on October 2, 2001, Dresden Energy, LLC; S.W.E.C., LLC; Armstrong Energy Limited Partnership, LLLP; Troy Energy, LLC; and Pleasants Energy, LLC (collectively, the Applicants) filed applications for market-based rate authority pursuant to Section 205 of the Federal Power Act. The applications include market-based rate tariffs, forms of umbrella service agreements, codes of conduct (the Tariffs) and market analyses.

Applicants request that their Tariffs become effective on December 1, 2001, sixty days after the date of this filing.

Applicants have served this filing on the Ohio Public Utilities Commission, the Public Service Commission of West Virginia, the Pennsylvania Public Service Commission and the Virginia State Corporation Commission.

*Comment date:* October 23, 2001, in accordance with Standard Paragraph E at the end of this notice.

**13. Mid-Continent Area Power Pool**

[Docket No. ER02-27-000]

Take notice that on October 2, 2001, the Mid-Continent Area Power Pool, on behalf of its public utility members, filed a service agreement with ONEOK Power Marketing, Co. under MAPP Schedule R to the Restated Agreement.

*Comment date:* October 23, 2001, in accordance with Standard Paragraph E at the end of this notice.

**14. Mid-Continent Area Power Pool**

[Docket No. ER02-28-000]

Take notice that on October 2, 2001, the Mid-Continent Area Power Pool, on behalf of its public utility members, filed long term firm, short-term firm and non-firm transmission service agreements under MAPP Schedule F.

*Comment date:* October 23, 2001, 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, NE., Washington, DC 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 this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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.

**David P. Boergers,**  
*Secretary.*

[FR Doc. 01-25926 Filed 10-15-01; 8:45 am]  
**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests and Establishing Procedures for Relicensing and a Deadline for Submission of Final Amendments**

October 10, 2001.

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

a. *Type of Application:* Minor new license.

b. *Project No.:* 2064-004.

c. *Date Filed:* November 26, 1999.

d. *Applicant:* Flambeau Hydro LLC.

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

f. *Location:* Partially within the Chequamegon National Forest, on the East Fork of the Chippewa River near the town of Winter, Sawyer County, Wisconsin.

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

h. *Applicant Contact:* Mr. Loyal Gake, Flambeau Hydro LLC, P.O. Box 167, Neshkoro, WI 54960 (920) 293-4628 Ext.12.

i. *FERC Contact:* Michael Spencer, [michael.spencer@FERC.fed.us](mailto:michael.spencer@FERC.fed.us), (202) 219-2846.

j. *Deadline for filing motions to intervene and protests:* 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.

The Commission's Rules of Practice and Procedure require all intervenors 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 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.

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

l. Description of Project: The existing project consists of: (1) A 14-foot-high, 140-foot-long concrete stop log diversion dam (2) a 30 acre reservoir with a normal storage capacity of 165 area-feet, at a normal pool elevation of 1367.7 mean sea level; (3) a 2,100-foot-long power canal; (4) an 18-foot-wide concrete intake structure; (5) two 5.5-foot-diameter 78-foot-long steel penstocks; (6) a powerhouse containing two generating units with a combined capacity of 600 kW, and an average annual generation 2,130 MWh and appurtenant facilities.

m. Locations of the application: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, 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. 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 of application has been accepted for filing

Notice of NEPA Scoping (unless scoping has already occurred)  
 Notice of application is ready for environmental analysis  
 Final amendments to the application must be filed with the Commission\*  
 Notice of the availability of the draft NEPA document  
 Notice of the availability of the final NEPA document  
 Order issuing the Commission's decision on the application  
 \* Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

**Protests or Motions to Intervene—**  
 Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests 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 protests or motions to intervene must be received on or before the specified deadline date for the particular application.

**Filing and Service of Responsive Documents**—All filings must (1) bear in all capital letters the title "PROTEST" or "MOTION TO INTERVENE;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

**David P. Boergers,**  
*Secretary.*

[FR Doc. 01-25930 Filed 10-15-01; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Non-Project Use of Project Lands and Waters and Soliciting Comments, Motions to Intervene, and Protests

October 10, 2001.

Take notice that the following application has been filed with the

Commission and is available for public inspection:

a. *Application Type:* Non-Project Use of Project Lands and Waters.

b. *Project No:* 2232-428.

c. *Date Filed:* July 30, 2001.

d. *Applicant:* Duke Energy Corporation.

e. *Name of Project:* Catawba Wateree Hydroelectric Project.

f. *Location:* Counties and Lakes affected in North Carolina: Counties: Alexander, Burke, Caldwell, Catawba, Gaston, Iredell, Lincoln, McDowell, and Mecklenburg. Lakes: James, Rhodiss, Hickory, Lookout Shoals, Norman, and Mountain Island.

Counties and Lakes affected in South Carolina: Counties: Chester, Fairfield, Kershaw, Lancaster, and York. Lakes: Wylie, Fishing Creek, Great Falls, Rocky Creek, and Wateree.

The project does not utilize federal or tribal lands.

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

h. *Applicant Contact:* Mr. E.M. Oakley, Duke Energy Corporation, P.O. Box 1006 (EC12Y), Charlotte, NC 28201-1006. Phone: (704) 382-5778.

i. *FERC Contact:* Any questions on this notice should be addressed to Brian Romanek at (202) 219-3076, or e-mail address: brian.romanek@ferc.fed.us.

j. *Deadline for filing comments and/or motions:* November 16, 2001.

All documents (original and eight copies) should be filed with David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., 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 (2232-428) on any comments or motions filed.

k. *Description of Proposal:* Pursuant Commission Order issued February 2, 1996, entitled Order Approving and Modifying Shoreline Management Plan for the Catawba-Wateree Hydroelectric Project, the licensee filed a revised Shoreline Management Plan (SMP). Since the 1996 order, the licensee requested and was granted additional time to complete the plan. The plan addresses relevant aspects of the land and water resources for each of the 11 project reservoirs consisting of 1,653.6 shoreline miles. The plan includes, in part, for each reservoir Shoreline Use Classification Mapping, Shallow Water Fish Habitat Survey Results, a Cultural Resources Assessment, a Recreational Use and Boating Capacity Assessment,

Proposed Recreational Enhancements, and information concerning woody debris management, riparian management, terrestrial species assessment, and cumulative impacts of shoreline development, and shoreline stabilization technique selection. A notable portion of the revised plan has been approved by the Commission by order issued December 1, 2000, entitled Order Modifying and Approving Revised Shoreline Management Classification Maps. This order was issued after notice and opportunity for hearing and after an Environmental Assessment (EA) was completed. The portions of the plan that were considered in that order and EA were the classification maps, shoreline stabilization technique selection, Shallow Water Fish Habitat Survey Results, and woody debris management.

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

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. 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.

o. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be