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Dated: January 25, 2002.

**Craig B. Luigart,**

*Chief Information Officer.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP02-73-000]

#### **Cargill, Incorporated, Complainant, v. Saltville Gas Storage Company, LLC, Respondent; Notice of Complaint**

January 24, 2002.

Take notice that on January 23, 2002, pursuant to sections 5, 7, and 16 of the Natural Gas Act (NGA) and Rule 206 of the Commission's Rules of Practice and Procedure, 18 CFR 385.206, Cargill, Incorporated, (Cargill) filed a Complaint against Saltville Gas Storage Company,

LLC ("Saltville LLC") requesting that the Commission issue an order requiring Saltville LLC to cease and desist from the construction of jurisdictional salt cavern storage facilities without a certificate. The Complaint alleges that Saltville LLC is attempting to circumvent the jurisdiction of this Commission by constructing and operating an interstate natural gas storage facility, in Saltville, Virginia under claim of State jurisdiction despite the fact that the overriding purpose of the facilities is to provide natural gas storage service in interstate commerce. Accordingly, Cargill respectfully requests that the Commission assert jurisdiction over Saltville LLC, order it to cease and desist from all construction activities, and require it to file an application for a certificate of public convenience and necessity with this Commission. Alternatively, Cargill requests that the Commission issue a cease and desist order accompanied by an order requiring Saltville LLC to show cause why the proposed storage facilities are not subject to the Commission's NGA jurisdiction.

Any person desiring to be heard or to protest this 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 must be filed on or before February 12, 2001. 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. Answers to the complaint shall also be due on or before February 12, 2001. 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.

**C.B. Spencer,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2107-010 California]

#### **Pacific Gas and Electric Company; Notice Rejecting Application and Soliciting Applications**

January 24, 2002.

On October 2, 2001, the Pacific Gas and Electric Company (PG&E), licensee for the Poe Hydroelectric Project No. 2107, filed an application for a new license for the project, pursuant to section 15(b)(1) of the Federal Power Act (Act). The application was untimely filed, however, and a request for a license amendment that would have cured that deficiency was denied by the Commission in an order issued January 16, 2002.<sup>1</sup> Consequently, that license application is hereby rejected.

The project is located on the North Fork Feather River, in Butte County, California and occupies lands of the United States within the Plumas National Forest. The project consists of: (1) The 400-foot-long, 60-foot tall Poe Diversion Dam, including four 50-foot-wide by 41-foot-high radial flood gates, a 20-foot-wide by 7-foot-high small radial gate, and a small skimmer gate that is no longer used; (2) the 53-acre Poe Reservoir; (3) a concrete intake structure located on the shore of Poe Reservoir; (4) a pressure tunnel about 19 feet in diameter with a total length of about 33,000 feet; (5) a differential surge chamber located near the downstream end of the tunnel; (6) a steel underground penstock about 1,000 feet in length and about 14 feet in diameter; (7) a reinforced concrete powerhouse, 175-foot-long by 114-foot-wide, with two vertical-shaft Francis-type turbines rated at 76,000 horsepower connected to vertical-shaft synchronous generators rated at 79,350 kVA with a total installed capacity of 143 MW and an average annual generation of 584 gigawatt hours; (8) the 370-foot-long, 61-foot tall, concrete gravity Big Bend Dam; (9) the 42-acre Poe Afterbay Reservoir; and (10) appurtenant facilities.

As a result of the rejection of PG&E's application and pursuant to section 16.25 of the Commission's Regulations, the Commission is soliciting license applications from potential applicants. This is necessary because the deadline for filing an application for new license and any competing license applications, pursuant to section 16.9 of the regulations, was October 1, 2001, and no

<sup>1</sup> 98 FERC ¶ 61,032 (2002)