

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Request To Use Alternative Procedures in Preparing a License Application**

May 9, 2002.

Take notice that the following request to use alternative procedures to prepare a license application has been filed with the Commission.

a. *Type of Application:* Request to use alternative procedures to prepare a new license application.

b. *Project No.:* 2204.

c. *Date filed:* April 24, 2002.

d. *Applicant:* City and County of Denver, Colorado, acting by and through its Board of Water Commissioners (Denver Water).

e. *Name of Project:* Williams Fork Reservoir Project.

f. *Location:* On the Williams Fork River, in Grand County, northern Colorado. The project occupies no federal lands.

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

h. *Applicant Contact:* Kevin Urie, Licensing Project Manager, Denver Water, 1600 West 12th Avenue, Denver, CO 80254, (303)628–5987.

i. *FERC Contact:* Dianne Rodman at (202) 219–2830; e-mail [dianne.rodman@ferc.gov](mailto:dianne.rodman@ferc.gov).

j. *Deadline for Comments:* 30 days from the date of this notice.

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

Comments 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 (<http://www.ferc.gov>) under the "e-Filing" link.

k. The existing 3.0-megawatt project consists of a 706-foot-long, 217-foot-high dam; an impoundment with a storage capacity of 96,822 acre-feet; a power plant with one turbine and one generator; and appurtenant facilities.

l. A copy of the request to use alternative procedures is on file with the Commission and is 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). A copy is also available for inspection and reproduction at the address in item h above.

m. Denver Water has demonstrated that it has made an effort to contact all

federal and state resources agencies, non-governmental organizations (NGOs), and others affected by the project. Denver Water has also demonstrated that a consensus exists that the use of alternative procedures is appropriate in this case. Denver Water has submitted a communications protocol that is supported by the majority of stakeholders. Denver Water intends to file 6-month progress reports during the alternative procedures process that leads to the filing of a license application by December 31, 2004.

The purpose of this notice is to invite any additional comments on Denver Water's request to use the alternative procedures, pursuant to Section 4.34(i) of the Commission's regulations. Additional notices seeking comments on the specific project proposal, interventions and protests, and recommended terms and conditions will be issued at a later date. Denver Water will complete and file a preliminary Environmental Assessment, in lieu of Exhibit E of the license application. This differs from the traditional process, in which an applicant consults with agencies, Indian tribes, NGOs, and other parties during preparation of the license application and before filing the application, but the Commission staff performs the environmental review after the application is filed. The alternative procedures are intended to simplify and expedite the licensing process by combining the pre-filing consultation and environmental review processes into a single process, to facilitate greater participation, and to improve communication and cooperation among the participants.

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

*Deputy Secretary.*

[FR Doc. 02–12105 Filed 5–14–02; 8:45 am]

**BILLING CODE 6717–01–P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Request To Use the Alternative Licensing Process in Preparing a License Application**

May 9, 2002.

Take notice that the following request to use the Alternative Licensing Process (ALP) to prepare a license application has been filed with the Federal Energy Regulatory Commission (Commission).

a. *Type of Application:* Request to use the ALP to prepare a new license application.

b. *Project No.:* 2216–058.

c. *Date Filed:* March 6, 2002.

d. *Applicant:* New York Power Authority.

e. *Name of Project:* Robert Moses–Niagara Project.

f. *Location:* On the Niagara River, in Niagara County, New York. The project does not occupy any Federal lands.

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

h. *Applicant Contact:* Keith G. Silliman, *Esq.*, Director, Niagara Relicensing, New York Power Authority, 30 South Pearl Street, Albany, NY 12207–3425, (518) 433–6735.

i. *Commission Contact:* Patti Leppert at (202) 219–2767; e-mail [patricia.leppert@ferc.gov](mailto:patricia.leppert@ferc.gov).

j. *Deadline for Comments:* 30 days from the date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. All comment filings must bear the heading "Comments on the Alternative Licensing Process", and include the project name and number (Robert Moses–Niagara Project No. 2216–058). Comments 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 (<http://www.ferc.gov>) under the "e-Filing" link.

k. The existing project consists of a conventional development and a pumped storage development for a total licensed capacity of 2,755,500 kilowatts. Existing project facilities include two 700-foot-long intake structures located on the upper Niagara River about 2.6 miles upstream from the American Falls; two 4.3-mile-long concrete underground water supply conduits, each measuring 46 feet wide by 66.5 feet high; a forebay; the Lewiston Pump-Generating Plant, measuring 975 feet long by 240 feet wide by 160 feet high; the 1,900-acre Lewiston reservoir at a maximum water surface elevation of 658 feet United States Lake Survey Datum; the Robert Moses Niagara Power plant, including an intake structure, measuring 1,100 feet long by 190 feet wide by 100 feet high; a switch yard; and appurtenant facilities.

l. A copy of the request to use the ALP is on file with the Commission and is 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 (for assistance call (202) 208–2222). A copy is also available for inspection and reproduction at the address in item h above.

m. NYPA has been engaged in an extensive outreach effort with Federal and state resource agencies, the Tuscarora Nation, non-governmental organizations (NGO), state and local governments, various companies, and the public regarding the Robert Moses-Niagara Project, and that a consensus exists that the use of the ALP is appropriate in this case. NYPA has submitted a Communications Protocol that is supported by most interested entities. NYPA intends to file 6-month progress reports during the ALP that leads to the filing of a license application by August 31, 2005.

The purpose of this notice is to invite any additional comments on NYPA's request to use the ALP, pursuant to Section 4.34(i) of the Commission's regulations. Additional notices seeking comments on the specific project proposal, interventions and protests, and recommended terms and conditions will be issued at a later date. NYPA proposes to complete and file an Applicant-Prepared Environmental Assessment in lieu of Exhibit E of the license application. This differs from the traditional process, in which the applicant consults with resource agencies, Indian tribes, and NGOs during preparation of the application for the license and before filing it, but the Commission staff conducts the environmental review after the application is filed. The ALP is intended to simplify and expedite the licensing process by combining the pre-filing consultation and environmental review processes into a single process, to facilitate greater participation, and to improve communication and cooperation among the participants.

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

*Deputy Secretary.*

[FR Doc. 02-12106 Filed 5-14-02; 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

May 9, 2002.

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.:* 2232-442.
- c. *Date Filed:* April 2, 2002.

d. *Applicant:* Duke Energy Corporation.

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

f. *Location:* On Lake Norman at the Long Island Marina, in Catawba County, North Carolina. 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.gov](mailto:brian.romanek@ferc.gov).

j. *Deadline for filing comments and motions:* June 14, 2002.

*All documents (original and eight copies) should be filed with:* Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426. Please include the project number (2232-442) on any comments or motions filed.

k. *Description of Proposal:* Duke Energy Corporation proposes to lease to Eben L. Pyle, DBA Long Island Marina (Long Island Marina) one parcel of land underlying the project reservoir (a total of 2.815 acres) for a proposed expansion of an existing commercial/ non-residential marina (C/NR). The existing marina has three cluster docks accommodating 36 boats and one boat ramp. At the proposed C/NR lease area four new cluster docks accommodating 60 boats would be constructed and 12 boat slips would be added to an existing cluster dock. In total there would be 7 cluster docks accommodating 108 boats. The facility would provide access to the reservoir for patrons of the marina. Long Island Marina would also provide a pump out facility for boats with sanitation equipment. No dredging is proposed.

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).

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.

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 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.

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

*Deputy Secretary.*

[FR Doc. 02-12107 Filed 5-14-02; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application for Amendment of License and Solicitation of Comments, Motions To Intervene, and Protests

May 9, 2002.

a. *Application Type:* Application to Amend License for the Llyod Shoals Project.

b. *Project No.:* 2336-051.

c. *Date Filed:* April 10, 2002.

d. *Applicant:* Georgia Power Company.

e. *Name of Project:* Llyod Shoals Project.