

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.

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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.

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.

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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.