

comply with NIH "Guidelines for Research Involving Recombinant DNA Molecules," which is available via the world wide web at: <http://www.niehs.nih.gov/odhsb/biosafe/nih/rdna-apr98.pdf>, (59 FR 34496, July 5, 1994,) or such later revision of those guidelines as may be published in the **Federal Register**.

The Catalog of Federal Domestic Assistance Number for this program is 81.049 and the solicitation control number is ERFAP 10 CFR Part 605.

Issued in Washington, DC on November 15, 2002.

John Rodney Clark,

Associate Director of Science for Resource Management.

[FR Doc. 02-29751 Filed 11-21-02; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP03-77-000]

Reliant Energy Services, Inc., Complainant, v. Florida Gas Transmission Company, Respondent; Notice of Complaint and Request for Fast Track Processing

November 18, 2002.

Take notice that on November 15, 2002, Reliant Energy Services, Inc. (RES) filed a Complaint and Request for Fast Track Processing against Florida Gas Transmission Company (FGT) requesting that the Federal Energy Regulatory Commission (Commission) find that FGT is in violation of its tariff by demanding a letter of credit far in excess of that permitted by the creditworthiness provisions of FGT's tariff and excluding, on an unduly discriminatory basis in violation of sections 5 and 7 of the Natural Gas Act (NGA), RES from an expansion project unless RES posts a letter of credit far in excess of that permitted by the creditworthiness provisions of FGT's tariff. RES also contends that FGT has indicated an intention to build an expansion project that is inconsistent with its certificate authorization. RES requests that the Commission issue an order finding and declaring that FGT's notification to RES that FGT intends to terminate its contractual obligation to provide firm transportation service to RES through use of the Phase VI facilities is unduly discriminatory, in violation of FGT's tariff, the Commission's certificate issued to FGT for its phase VI Facilities expansion in Docket No. CP02-27-000, and the NGA.

A copy of the filing was served upon the Respondent.

Any person desiring to be heard or to protest this filing should file 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). 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. The answer to the complaint and all comments, interventions or protests must be filed on or before November 25, 2002. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. The answer to the complaint, 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 strongly encourages electronic filings.

Linwood A. Watson, Jr.,

Deputy Secretary.

[FR Doc. 02-29749 Filed 11-21-02; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG03-15-000, et al.]

Termoelectrica U.S., LLC, et al.; Electric Rate and Corporate Filings

November 15, 2002.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

1. Termoelectrica U.S., LLC

[Docket No. EG03-15-000]

On November 12, 2002, Termoelectrica U.S., LLC (Applicant), located at 101 Ash Street; San Diego, California 92101, filed with the Federal Energy Regulatory Commission

(Commission) an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations.

Applicant will own the United States portion of a transmission line connecting a natural gas-fired and steam-fired generating facility located west of Mexicali in Baja California, United Mexican States to the already existing San Diego Gas & Electric Company Imperial Valley substation. The generating facility will be directly owned and operated by Termoelectrica de Mexicali, S. de R.L. de C.V.

Comment Date: December 6, 2002.

2. Riverview Energy Center, LLC

[Docket No. EG03-16-000]

Take notice that on November 12, 2002, Riverview Energy Center, LLC (Riverview) filed with the Federal Energy Regulatory Commission (Commission) an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations.

Riverview, a Delaware limited liability company, proposes to own and operate a nominally rated 45 MW natural gas-fired, simple cycle electric generating facility to be located in Contra Costa County, California. Riverview intends to sell the output at wholesale to an affiliated marketer.

Comment Date: December 6, 2002.

3. Manchief Power Company, L.L.C.

[Docket No. EG03-18-000]

Take notice that on November 13, 2002, Manchief Power Company, L.L.C., with its principal place of business at 1001 Louisiana Street, P.O. Box 2511, Houston, Texas, 77002, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations. Manchief Power Company, L.L.C. is a Delaware limited liability company that owns a generation facility near Brush, Colorado.

Comment Date: December 6, 2002.

4. PPL Great Works, LLC

[Docket No. ER99-4503-002]

Take notice that on November 8, 2002, PPL Great Works, LLC filed an updated market power analysis pursuant to the Commission's order in Middleton Power LLC, 89 FERC ¶ 61,151 (1999).

PPL Great Works, LLC served a copy of this filing on the parties on the Commission's official service list for this docket.

Comment Date: November 29, 2002.

5. Midwest Independent Transmission System Operator, Inc.

[FERC Docket No. ER02-290-002]

Take notice that on November 12, 2002, the Midwest Independent Transmission System Operator, Inc. (the Midwest ISO) tendered for filing its Process for the Use of Network Resources Outside of the Midwest ISO and Resolving Competing Requests for Transmission Service Among Network Customers and between Point-to-Point and Network Customers as Attachment U to its Open Access Transmission Tariff in compliance with the Commission's October 10, 2002 Order issued in Midwest Independent Transmission System Operator, Inc., 101 FERC ¶ 61,030.

The Midwest ISO has requested waiver of the requirements set forth in 18 CFR 385.2010. The Midwest ISO has electronically served a copy of this filing, with attachments, upon all Midwest ISO Members, Member representatives of Transmission Owners and Non-Transmission Owners, the Midwest ISO Advisory Committee participants, Policy Subcommittee participants, as well as all state commissions within the region. In addition, the filing has been electronically posted on the Midwest ISO's website at www.midwestiso.org under the heading "Filings to FERC" for other interested parties in this matter.

Comment Date: December 3, 2002.

6. Thompson River Co-Gen, LLC

[Docket No. ER02-298-001]

Take notice that on November 12, 2002, Thompson River Co-Gen, LLC (Thompson) petitioned the Commission for acceptance of Thompson Rate Schedule FERC No. 1; the granting of certain blanket approvals, including the authority to sell electricity at market-based rates, and waiver of certain Commission regulations.

Thompson intends to sell at wholesale electricity generated from a 16-megawatt cogeneration facility located in Thompson Falls, Montana, to NorthWestern Energy, LLC, (NWE). Thompson does not intend to make other wholesale sales of electricity to any entity other than NWE. Thompson is an LLC with passive ownership interests, and Barry Bates and Lawrence Underwood are the Partners and will manage Thompson's day-to-day business. Thompson has no legal or economic interest, and is not in any way related to, any utility or other entity that owns any generation, transmission or other jurisdictional facilities.

Comment Date: December 3, 2002.

7. Duke Energy Corporation

[Docket Nos. ER02-2480-002 and EL02-118-000]

Take notice that on November 12, 2002, Duke Energy Corporation filed its compliance filing in the above captioned proceeding.

Comment Date: December 3, 2002.

8. Consumers Energy Company

[Docket No. ER03-153-001]

Take notice that on November 12, 2002, Consumers Energy Company (Consumers) filed a Service Agreement No. 50 under its Electric Sales Tariff FERC No. 7. A cover sheet, in accordance with the provisions of Order 614, was mistakenly not included with the filing. Attached is a cover sheet.

Comment Date: December 3, 2002.

9. Westar Energy, Inc.

[Docket No. ER03-172-000]

Take notice that on November 12, 2002, Westar Energy, Inc. (Westar) submitted for filing Service Schedule WRC-10/2002 (Schedule), which will supercede Service Schedule WRC-8/2002 with Federal Energy Regulatory Commission (Commission) approval. The Schedule is proposed to be effective on October 31, 2002. The changes in the Schedule provide for customers taking service under the Schedule to receive billing credits for alternative resources obtained from third parties or other Westar tariffs.

A copy of this filing was served upon the Kansas Corporation Commission, Kaw Valley Electric, Nemaha-Marshall Electric Cooperative Association, Inc. and Doniphan Electric Cooperative.

Comment Date: December 3, 2002.

10. Cinergy Services, Inc.

[Docket No. ER03-174-000]

Take notice that on November 12, 2002, Cinergy Services, Inc. (Cinergy), on behalf of PSI Energy, Inc (PSI), a Cinergy Corp. utility operating company, tendered for filing a Notice of Termination of an Interconnection Agreement (IA) and Facility Construction Agreement (FCA) between Cinergy and Duke Energy Vigo, LLC. Termination of the IA and FCA has been mutually agreed to by Cinergy and Duke Energy Vigo, LLC.

Comment Date: December 3, 2002.

11. Termoelectrica U.S., LLC

[Docket No. ER03-175-000]

Take notice that on November 12, 2002, Termoelectrica U.S., LLC., (Termoelectrica US) tendered for filing pursuant to Rule 205, 18 CFR 3 85.205, a petition for waivers and blanket approvals under various regulations of

the Commission and for an order accepting its Rate Schedule authorizing Termoelectrica U.S. to make sales at market-based rates. Termoelectrica U.S. has requested waiver of the Commission's regulations to permit an effective date of sixty days from the date of this filing.

Termoelectrica U.S. intends to sell electric power and ancillary services at wholesale. In transactions where Termoelectrica U.S. sells electric power or ancillary services it proposes to make such sales on rates, terms, and conditions to be mutually agreed to with the purchasing party. Rate Schedule No. I provides for the sale of energy and capacity and ancillary services at agreed prices.

Comment Date: December 3, 2002.

12. Kansas City Power & Light Company

[Docket No. ER03-176-000]

Take notice that on November 12, 2002, Kansas City Power & Light Company (KCPL) tendered for filing an Amendatory Agreement No. 3, dated September 28, 2002 between Kansas City Power & Light Company (KCPL) and the Board of Public Utilities of Kansas City, Kansas. KCPL proposes an effective date of December 1, 2002 and requests any necessary waiver of the Commission's notice requirement.

Comment Date: December 3, 2002.

13. American Electric Power Service Corporation

[Docket No. ER03-177-000]

Take notice that on November 12, 2002, the American Electric Power Service Corporation (AEPSC) tendered for filing an executed amended and restated Interconnection and Operation Agreement between Columbus Southern Power Company and Duke Energy Franklin LLC. The agreement is pursuant to the AEP Companies' Open Access Transmission Service Tariff (OATT) that has been designated as the Operating Companies of the American Electric Power System FERC Electric Tariff Third Revised Volume No. 6, effective July 10, 2002.

AEP requests an effective date of June 25, 2001, the same effective date of the Interconnection and Operation Agreement in Commission's Order Conditionally Accepting Unexecuted Interconnection and Operation Agreement issued in this docket on June 28, 2001, 95 FERC ¶ 61,472. A copy of the filing was served upon the Ohio Public Utilities Commission.

Comment Date: December 3, 2002.

14. PJM Interconnection, L.L.C.

[Docket No. ER03-178-000]

Take notice that on November 12, 2002 PJM Interconnection, L.L.C. (PJM), submitted for filing an executed interconnection service agreement between PJM and Reliant Energy Hunterstown, L.L.C.

PJM requests a waiver of the Commission's 60-day notice requirement to permit the effective date agreed to by the parties. Copies of this filing were served upon Reliant Energy Hunterstown, L.L.C. and the state regulatory commissions within the PJM region.

Comment Date: December 3, 2002.

15. FPL Energy New Mexico Wind, LLC

[Docket No. ER03-179-000]

Take notice that on November 12, 2002, FPL Energy New Mexico Wind, LLC tendered for filing an application for authorization to sell energy and capacity at market-based rates pursuant to section 205 of the Federal Power Act.

Comment Date: December 3, 2002.

Standard Paragraph

Any person desiring to intervene or to protest this filing should file 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). 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. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866)208-3676, or for TTY, contact (202)502-8659. 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 strongly encourages electronic filings.

Linwood A. Watson, Jr.,

Deputy Secretary.

[FR Doc. 02-29744 Filed 11-21-02; 8:45 am]

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. DI03-1-000]

Notice of Declaration of Intention and Soliciting Comments, Motions To Intervene, and Protests

November 18, 2002.

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

a. *Application Type:* Declaration of Intention.

b. *Docket No:* DI03-1-000.

c. *Date Filed:* November 5, 2002.

d. *Applicant:* Jo A. Miller.

e. *Name of Project:* Miller/Fish Creek Project.

f. *Location:* The Miller/Fish Creek Project would be located in sec. 28, portion of Gov't Lot 4 and SW $\frac{1}{4}$ SE $\frac{1}{4}$; sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, T. 32 N., R. 28 E., W.M., on Fish Creek 3/8 mile from Lake Chelan, Chelan County, Washington. The project will occupy Federal land.

g. *Filed Pursuant to:* Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b).

h. *Applicant Contact:* Jo A. Miller, 22905 Riverview Road, Chelan, WA 98816, telephone (509) 689-0909.

i. *FERC Contact:* Any questions on this notice should be addressed to Diane M. Murray (202) 502-8838, or e-mail address: diane.murray@ferc.gov.

j. *Deadline for filing comments and/or motions:* December 20, 2002.

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, protests, and interventions may be filed electronically via the Internet in lieu of paper. Any questions, please contact the Secretary's Office. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov>.

Please include the docket number (DI03-1-000) on any comments or motions filed. k. *Description of Project:* The proposed Miller/Fish Creek Project would consist of: (1) A diversion, located on Government Lot No. 4,

consisting of a 10-inch-diameter, 5-foot-long, stainless steel screened inlet; (2) a 42-foot-long, 10-inch steel pipeline encased in a 16-inch carrier pipe; (3) a 1,200-foot-long, 10-inch pipe reduced to 6 inches at the powerhouse; (3) a powerhouse containing one generating unit, with a total rated capacity of 6.7 kW; and (4) a 6-inch return flow pipe back to Fish Creek; and (5) appurtenant facilities.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the interests of interstate or foreign commerce would be affected by the project. The Commission also determines whether or not the project: (1) Would be located on a navigable waterway; (2) would occupy or affect public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) if applicable, has involved or would involve any construction subsequent to 1935 that may have increased or would increase the project's head or generating capacity, or have otherwise significantly modified the project's pre-1935 design or operation.

l. *Locations of the Application:* Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the web at <http://www.ferc.gov> using the "FERRIS" link, select "Docket#" and follow the instructions. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or TTY, contact (202) 502-8659.

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, 385.211, 385.214. 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