

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. 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 proceedings. Any person wishing to become a party must file a motion to intervene. 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 TTY, contact (202) 502-8659. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link.

Linwood A. Watson, Jr.,
Deputy Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. EL03-17-000, QF87-365-005; QF90-43-004 and QF91-59-005]

Investigation of Certain Enron-Affiliated QFs, Zond Windsystems Holding Company, Victory Garden Phase IV Partnership, Sky River Partnership; Notice Establishing Comment Date

November 14, 2002.

On October 24, 2002, the Commission issued an order initiating investigation and hearing (Order) in the above-docketed proceedings. By this notice, the date for the filing of motions to

intervene, comments, and protests is December 5, 2002.

Linwood A. Watson, Jr.,
Deputy Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP02-90-001]

AES Ocean Express, L.L.C.; Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Ocean Express Pipeline Project, Request for Comments on Environmental Issues, and Notice of a Public Scoping Meeting and Site Visit

November 19, 2002.

On February 21, 2002, AES Ocean Express, L.L.C. (Ocean Express) filed its Application for Certificates of Public Convenience and Necessity for authorization to own, construct, operate and maintain a new 24-inch diameter, approximately 54.3-mile interstate natural gas pipeline extending from a receipt point on the Exclusive Economic Zone ("EEZ") boundary between the United States and the Bahamas to delivery points in Broward County, Florida, together with certain ancillary facilities. Shortly after Ocean Express filed that application, on March 26, 2002, the Naval Surface Warfare Center, Carderock Division ("NSWCCD") filed a motion to intervene in which it expressed concerns regarding the routing of the project and its potential impacts on NSWCCD operations. Since that time, Ocean Express and NSWCCD have met and reached an agreement in principle on measures to resolve NSWCCD's technical and operational concerns regarding construction, operation, and maintenance of the proposed Ocean Express Pipeline. On October 18, 2002, Ocean Express filed an Amendment to the Application proposing a new route variation and design changes for the nearshore portion of Ocean Express' offshore pipeline in the vicinity of the Navy Restricted Area.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) and the Minerals Management Service (MMS) will prepare an Environmental Impact Statement (EIS) that will analyze the environmental impacts of the proposed Ocean Express Pipeline Project.¹ The

proposed pipeline originates in the Bahamas and would come ashore east of Dania, Florida. These facilities would consist of about 54.3 miles of 24-inch diameter pipeline (about 48.0 miles offshore and 6.3 miles onshore), two aboveground metering facilities, a pig launching/receiving station, one aboveground shutoff valve, and one belowground valve. This EIS will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity. The MMS will have primary responsibility for offshore analysis in U.S. waters and will coordinate with the U.S. Army Corps of Engineers regarding Florida state waters review.

The application, amended application, and other supplemental filings in this docket are available for viewing on the FERC Internet website (<http://www.ferc.gov>). Click on the "FERRIS" link, select "General Search" from the FERRIS Menu, and follow the instructions, being sure to input the correct docket number (CP02-90). General information about the MMS and detailed information regarding Florida state and Federal waters can be accessed at the MMS Internet website (<http://www.mms.gov>).

The FERC is the lead agency and the MMS is a Federal cooperating agency for this project because the MMS has jurisdiction by law as well as special expertise regarding the potential environmental impacts associated with that portion of the proposed pipeline that would be installed on the Outer Continental Shelf.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice that Ocean Express provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain

¹ Ocean Express' application was filed with the Commission on February 21, 2002, under Section

7) of the Natural Gas Act as amended, and Parts 157 and 284 of the Commission's regulations.