

FERC 61,113. The Midwest ISO has requested waiver of the Commission's 60-day notice provision of section 205 of the Federal Power Act in order to accommodate an effective date of the original date of filing in Docket No. ER98-1438-010.

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 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 Web site at <http://www.midwestiso.org> under the heading "Filings to FERC" for other interested parties in this matter. The Midwest ISO will provide hard copies to any interested parties upon request.

*Comment Date:* December 6, 2002.

#### 4. Phoenix Energy Associates, L.L.C.

[Docket No. ER03-182-000]

Take notice that on November 14, 2002, Phoenix Energy Associates, L.L.C. (Phoenix Energy), tendered for filing their Rate Schedule FERC No. 1, under which Phoenix Energy will engage in wholesale electric power and energy transactions as a marketer.

*Comment Date:* December 5, 2002.

#### 5. PPL Electric Utilities Corporation

[Docket No. ER03-183-000]

Take notice that on November 14, 2002, PPL Electric Utilities Corporation (PPL Electric) and PPL Susquehanna, L.L.C. (PPL Susquehanna) filed with the Commission a notice of cancellation of an Interconnection Agreement to which they are parties designated as FERC Electric Rate Schedule No. 171 and filed on December 7, 1999, and tendered a replacement Interconnection Agreement designated as PJM Service Agreement No. 816.

The Interconnection Agreement is being cancelled, and contemporaneously refiled, in order to implement a revision to Exhibit A and to comport with the Commission's current policy whereby Interconnection Agreements are filed as service agreements under the Open Access Transmission Tariff of the relevant Independent System Operator, here PJM Interconnection, L.L.C. PPL Electric and PPL Susquehanna request the same effective date for cancellation of the Interconnection Agreement and for the amended Interconnection Agreement

and request waivers as necessary to permit effective dates for both as of the date of filing.

*Comment Date:* December 5, 2002.

#### 6. Geysers Power Company, L.L.C.

[Docket No. ER03-184-000]

Take notice that on November 14, 2002, Geysers Power Company, L.L.C., tendered for filing updated rate schedule sheets for calendar year 2003 for its Reliability Must-Run service agreements with the California Independent System Operator (ISO), designated as Rate Schedules FERC Nos. 4 and 5. Copies of the filing have been served upon the ISO and Pacific Gas and Electric Company.

*Comment Date:* December 5, 2002.

#### 7. Duke Energy Fayette, L.L.C.

[Docket No. ER03-185-000]

Take notice that on November 15, 2002, Duke Energy Fayette, L.L.C. (Duke Fayette) tendered for filing pursuant to section 205 of the Federal Power Act its proposed FERC Electric Tariff No. 1.

Duke Fayette seeks authority to sell energy and capacity, as well as ancillary services, at market-based rates, together with certain waivers and preapprovals. Duke Fayette also seeks authority to sell, assign, or transfer transmission rights that it may acquire in the course of its marketing activities. Duke Fayette seeks an effective date 60 days from the date of filing of its proposed rate tariff.

*Comment Date:* December 6, 2002.

#### 8. PacifiCorp

[Docket No. ER03-186-000]

Take notice that on November 15, 2002, PacifiCorp tendered for filing in accordance with 18 CFR 35 of the Commission's rules and regulations, notice of cancellation of Rate Schedule No. 428 between PUD No. 1 of Clark County, WA and PacifiCorp.

Copies of this filing were supplied to PUD No. 1 of Clark County, WA, the Washington Utilities and Transportation Commission and the Public Utility Commission of Oregon.

*Comment Date:* December 6, 2002.

#### Standard Paragraph

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, N.E., 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](mailto: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. 02-29934 Filed 11-25-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project Nos. 2146-090,82-019, and 618-104—Alabama]

#### Alabama Power Company Coosa River Project, Mitchell Project, and Jordan Project; Notice of Proposed Restricted Service List for a Programmatic Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places

November 20, 2002.

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.<sup>1</sup> The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission staff is consulting with the Alabama and Georgia State Historic Preservation Officer

<sup>1</sup> 18 CFR Section 385.2010.

(hereinafter, SHPOs) and the Advisory Council on Historic Preservation (hereinafter, Council) pursuant to the Council's regulations, 36 CFR part 800, implementing Section 106 of the National Historic Preservation Act, as amended, (16 U.S.C. 470 f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at Project Nos. 2146, 82, and 618.

The programmatic agreement, when executed by the Commission, the SHPOs, and the Council, would satisfy the Commission's Section 106 responsibilities for all individual undertakings carried out in accordance with the licenses until the licenses expire or are terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to section 106 for the above projects would be fulfilled through the programmatic agreement, which the Commission proposes to draft in consultation with certain parties listed below. The executed programmatic agreement would be incorporated into any Orders issuing licenses.

Alabama Power Company, as licensee for Project Nos. 2146, 82, and 618, and the Mississippi Band of Choctaw Indians, Jena Band of Choctaw Indians, Chickasaw Nation, Poarch Band of Creek Indians, and the U.S. Bureau of Indian Affairs have expressed an interest in this preceding and are invited to participate in consultations to develop the programmatic agreement.

For purposes of commenting on the programmatic agreement, we propose to restrict the service list for the aforementioned projects as follows: Dr. Laura Henley Dean, Advisory Council on Historic Preservation, The Old Post Office Building, Suite 803, 1100 Pennsylvania Avenue, NW., Washington, DC 20004.

Amanda McBride, Alabama Historical Commission, 1500 Tower Building, 323 Center Street, Little Rock, AR 72201.

David Crass, Georgia Historic Preservation Division, 156 Trinity Avenue SW, Suite 101, Atlanta, GA 30303-1040.

Christine Norris, Tribal Historic Preservation Officer, Jena Band of Choctaw Indians, P.O. Box 14, Jena, LA 71342.

William Day, Tribal Historic Preservation Officer, Poarch Band of Creek Indians, 128 Olive St., Pineville, LA 71360.

Rena Duncan, Tribal Historic Preservation Officer, Chickasaw Nation, P.O. Box 1548, Ada, OK 74820.

Ken Carleton, Tribal Historic Preservation Officer, Mississippi Band of Choctaw Indians, P.O. Box 6257, Choctaw, MS 39350.

Dr. James Kardatzke, Bureau of Indian Affairs, Eastern Region Office, 711 Stewarts Ferry Pike, Nashville, TN 37214.

Kelly Schaeffer, 6225 Brandon Avenue, Suite 110, Springfield, VA 22150.

Barry Lovett, Alabama Power Company, P.O. Box 2641, Birmingham, AL 35291.

John Harrington, Esq., Office of Solicitor, Southeast Regional Office, 75 Spring St., SW., Suite 304, Atlanta, GA 30303.

Any person on the official service list for the above-captioned proceedings may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. In a request for inclusion, please identify the reason(s) why there is an interest to be included. Also please identify any concerns about Historic Properties, including Traditional Cultural Properties. If Historic Properties are to be identified within the motion, please use a separate page, and label it NON-PUBLIC Information.

An original and 8 copies of any such motion must be filed with Magalie R. Salas, the Secretary of the Commission (888 First Street, NE., Washington, DC 20426) and must be served on each person whose name appears on the official service list. If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions filed within the 15 day period.

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

*Deputy Secretary.*

[FR Doc. 02-29999 Filed 11-25-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2165-015—Alabama]

#### Alabama Power Company, Black Warrior River Project; Notice of Proposed Revised Restricted Service List for a Programmatic Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places

November 20, 2002.

Rule 2010 of the Federal Energy Regulatory Commission's (Commission)

Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.<sup>1</sup> The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission staff is consulting with the Alabama State Historic Preservation Officer (hereinafter, SHPO) and the Advisory Council on Historic Preservation (hereinafter, Council) pursuant to the Council's regulations, 36 CFR part 800, implementing Section 106 of the National Historic Preservation Act, as amended, (16 U.S.C. Section 470 f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at Project No. 2165-015.

The programmatic agreement, when executed by the Commission, the SHPO, and the Council, would satisfy the Commission's Section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to Section 106 for the Black Warrior River Project would be fulfilled through the programmatic agreement, which the Commission proposes to draft in consultation with Alabama Power Company, the licensee for Project No. 2165; the Mississippi Band of Choctaw Indians; the Jena Band of Choctaw Indians; the Chickasaw Nation, the Poarch Band of Creek Indians; the U. S. Forest Service; the U.S. Army Corp of Engineers; and the U.S. Bureau of Indian Affairs. The executed programmatic agreement would be incorporated into any Order issuing a license.

For purposes of commenting on the programmatic agreement, we propose to add the following person to the restricted service list for the aforementioned project to represent the interests of the U.S. Army Corp of Engineers: Ernie Seckinger, CESAM-PD-EI, U.S. Army Corps of Engineers, Mobile District, P.O. Box 2288, Mobile, AL 36628-0001.

Any person on the official service list for the above-captioned proceeding may request inclusion on the restricted service list, or may request that a restricted service list not be established,

<sup>1</sup> 18 CFR Section 385.2010.