

Company (Edison) tendered for filing a revised rate for transmission service to be provided pursuant to the terms of the Exchange Agreement (Agreement) with the Department of Water and Power of the City of Los Angeles (DWP), Rate Schedule FERC No. 219. This rate change is made in accordance with Section 8.7.6 of the Agreement and is to become effective for service rendered on and after January 1, 2003.

Copies of this filing were served upon the Public Utilities Commission of the State of California, and the DWP.

*Comment Date:* January 10, 2003.

#### 18. Allegheny Power

[Docket No. ER03-309-000]

Take notice that on December 19, 2002, Allegheny Power (Allegheny) submitted for filing an unexecuted Interconnection and Operating Agreement (Agreement) with Duke Energy Fayette, LLC (Duke) and a Letter Agreement between Allegheny and Duke.

Allegheny requests an effective date of December 20, 2002 for the Agreement and Letter Agreement and accordingly seeks waiver of the Commission's prior notice requirements. Copies of the filing were served on Duke and the Maryland, Ohio, Pennsylvania, Virginia and West Virginia public utility commissions.

*Comment Date:* January 10, 2003.

#### 19. California Independent System Corporation

[Docket No. ER03-310-000] Operator

Take notice that on December 20, 2002, the California Independent System Operator Corporation (ISO) submitted an informational filing as to the ISO's updated transmission Access Charge rates effective as of January 1, 2003.

The ISO states that this filing has been served upon the Public Utilities Commission of the State of California, the California Energy Commission, the California Electricity Oversight Board, the Participating Transmission Owners, and upon all parties with effective Scheduling Coordinator Service Agreements under the ISO Tariff. In addition, the ISO is posting the filing on the ISO Home Page.

*Comment Date:* January 10, 2003.

#### 20. Southern Company Services, Inc.

[Docket No. ER03-311-000]

Take notice that on December 20, 2002, Southern Company Services, Inc., acting on behalf of Alabama Power Company (APC), filed with the Federal Energy Regulatory Commission (Commission) a Notice of Cancellation of the Interconnection Agreement

between Blount County Energy, LLC and APC (Service Agreement No. 432 under Southern Companies' Open Access Transmission Tariff, Fourth Revised Volume No. 5). An effective date of November 21, 2002 has been requested.

*Comment Date:* January 10, 2003.

#### 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](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. 03-180 Filed 1-3-03; 8:45 am]

**BILLING CODE 6717-01-P**

#### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

#### Notice of Settlement Agreement and Soliciting Comments

December 30, 2002.

Take notice that the following settlement agreement has been filed with the Commission and is available for public inspection.

*a. Type of Application:* Settlement Agreement.

*b. Project No.:* P-1932-004.

*c. Date filed:* December 6, 2002.

*d. Applicant:* Southern California Edison Company (SCE).

*e. Name of Project:* Lytle Creek Project.

*f. Location:* On Lytle Creek, in the Town of Devore, San Bernardino County, California. The project occupies 29.06 acres of land within the San Bernardino National Forest.

*g. Filed Pursuant to:* Rule 602 of the Commission's Rules of Practice and Procedure, 18 CFR 385.602.

*h. Applicant Contact:* Nino J. Mascolo, SCE, 2244 Walnut Grove Ave., Rosemead, California 91770 (626) 302-4459.

*i. FERC Contact:* Jon Cofrancesco, (202) 502-8951, [jon.cofrancesco@ferc.gov](mailto:jon.cofrancesco@ferc.gov).

*j. Deadline for filing comments:* January 14, 2003 Reply comments due January 24, 2003. This extends the 20-day comment period, provided by 18 CFR 385.602(f)(2).

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. Please affix Project No. 1932-004 to all comments.

The Commission's Rules of Practice require all interveners filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

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

*k. Description of Filing:* SCE filed the Offer of Settlement on behalf of itself, the U.S. Forest Service (USFS), and Fontana Union Water Company. The purpose of the Offer of Settlement is to resolve among the signatories project bypass flow and stream channel management issues associated with the USFS's Final 4(e) Conditions and the relicensing of the Lytle Creek Project. The signatories ask the Commission to accept the Offer of Settlement and incorporate the terms of Appendix A to the Settlement Agreement into any new license issued for the project.

l. A copy of the settlement agreement is available for review at the Commission in the Public Reference Room 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 field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

**Linwood A. Watson, Jr.,**  
Deputy Secretary.

[FR Doc. 03-127 Filed 1-3-03; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Unlicensed Project Review and Soliciting Comments, Protests and Motions To Intervene<sup>1</sup>

December 30, 2002.

Take notice that the following review has been initiated by the Commission:

a. *Review Type:* Unlicensed Project.  
b. *Docket No.:* UL02-2-000.  
c. *Owner:* Indian River Power Supply LLC.

d. *Name of Project:* Russell/Westfield Paper Company Dam Project.

e. *Location:* The project is located on the Westfield River, in the town of Russell, Hampden County, Massachusetts. This project does not occupy federal lands or tribal lands.

f. *FERC Contact:* Any questions on this notice should be addressed to Henry Ecton (202) 502-8768, or e-mail address: [henry.ecton@ferc.gov](mailto:henry.ecton@ferc.gov).

g. *Deadline for filing comments, protests, and/or motions to intervene:* January 31, 2003.

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>.

<sup>1</sup> The purpose of this notice is to gather information to determine whether the existing project meets any or all of the jurisdictional criteria noted in paragraph (h).

Please include the docket number (UL02-2-000) on any comments, protests, or motions to intervene filed.

h. Pursuant to section 23(b)(1) of the Federal Power Act ( FPA), 16 U.S.C. 817(1), a non-federal hydroelectric project must (unless it has a still-valid pre-1920 federal permit) be licensed if it (1) Is located on a navigable water of the United States; (2) occupies lands of the United States; (3) utilizes surplus water or water power from a government dam; or (4) is located on a body of water over which Congress has Commerce Clause jurisdiction, project construction occurred on or after August 26, 1935, and the project affects the interests of interstate or foreign commerce.

i. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

j. *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, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any protests or motions to intervene must be received on or before the specified comment date for the particular application.

k. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Docket Number of the particular review.

l. *Agency Comments*—Federal, state, and local agencies are invited to file comments on the described review. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments.

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

Deputy Secretary.

[FR Doc. 03-129 Filed 1-3-03; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

#### Regulations Governing Off-the-Record Communications; Public Notice

December 30, 2002.

This constitutes notice, in accordance with 18 CFR 385.2201(h), of the receipt of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or a prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such requests only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication should serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications recently received in the Office of the Secretary. These filings are available for review at the Commission in the Public Reference Room 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