

*Comment Date:* February 3, 2004.

### 8. PacifiCorp

[Docket No. ER04-398-000]

Take notice that on January 13, 2004, PacifiCorp submitted for filing the 2003-04 Operating Procedures with respect to the 1997 Pacific Northwest Coordination Agreement (the 1997 PNCA). PacifiCorp states that the 2003-04 Operating Procedures amend the 1997 PNCA.

PacifiCorp further states that copies of the filing were served on the parties to the 1997 PNCA.

*Comment Date:* February 3, 2004.

### 9. Westar Energy, Inc.

[Docket No. ER04-399-000]

Take notice that on January 13, 2004, Westar Energy, Inc. (Westar) submitted for filing an Interconnection Agreement between Westar and Kaw Valley Electric Cooperative, Inc (Kaw Valley). Westar states that this filing allows it to deliver electric power and energy across Kaw Valley's facilities for redelivery to Westar's Hoyt, Rossville or Delia metering points from time to time.

Westar states that a copy of this filing was served upon the Kansas Corporation Commission and Kaw Valley

*Comment Date:* February 3, 2004.

### 10. Tampa Electric Company

[Docket No. ER04-401-000]

Take notice that on January 14, 2004, Tampa Electric Company (TEC) tendered for filing a notice of cancellation of the Interconnection and Operating Agreement between TEC and CPV Pierce, Ltd. (CPV). TEC requests that the cancellation be made effective on January 5, 2004, as ally agreed by the parties.

TEC states that copies of the filing have been served on CPV and the Florida Public Service Commission.

*Comment Date:* February 4, 2004.

### 11. NRG Ashtabula Generating LLC

[Docket No. ER04-402-000]

Take notice that on January 14, 2004, NRG Ashtabula Generating LLC (NRG Ashtabula) submitted pursuant to 18 CFR 35.15 a Notice of Cancellation of FERC Rate Schedule No. 1. NRG Ashtabula requests that the cancellation be made effective January 14, 2004.

*Comment Date:* February 4, 2004.

### 12. LSP-Pike Energy LLC

[Docket No. ER04-404-000]

Take notice that on January 14, 2004, LSP-Pike Energy LLC submitted pursuant to 18 CFR 35.15 a Notice of Cancellation of FERC Rate Schedule No.

1. LDP-Pike Energy LLC requests that the cancellation be made effective January 14, 2004.

*Comment Date:* February 4, 2004.

### 13. NRG Lake Shore Generating LLC

[Docket No. ER04-405-000]

Take notice that on January 14, 2004, NRG Lake Shore Generating LLC (NRG Lake Shore) submitted pursuant to 18 CFR 35.15 a Notice of Cancellation of FERC Rate Schedule No. 1. NRG Lake Shore requests that the cancellation be made effective January 14, 2004.

*Comment Date:* February 4, 2004.

### 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, call (202) 502-8222 or TTY, (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.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-129 Filed 1-27-04; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP04-34-000]

### Columbia Gas Transmission Corporation; Notice of Intent To Prepare an Environmental Assessment for the Proposed Line 1278 Replacement Project and Request for Comments on Environmental Issues

January 21, 2004.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Line 1278 Replacement Project involving the replacement of 43.4 miles of its existing Line 1278 pipeline by Columbia Gas Transmission Corporation (Columbia) in Northampton, Monroe, and Pike Counties, Pennsylvania.<sup>1</sup> Columbia has indicated that it intends to replace about 10.7 miles of its Line 1278 pipeline in Bucks and Northampton Counties under its blanket certificate issued in Docket No. CP83-76-000. Construction would be done in two phases in 2004 and 2005 as described below. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

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 Columbia provided to landowners. This fact sheet addresses a number of typically asked questions including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet Web site (<http://www.ferc.gov>).

<sup>1</sup> Columbia's application was filed with the Commission under sections 7(b) and 7(c) of the Natural Gas Act and Part 157 of the Commission's regulations.

### Summary of the Project

Columbia is under mandate from the United States Department of Transportation to replace deteriorated sections of its existing 14-inch-diameter Line 1278. Columbia proposes to replace and upgrade a segment of 43.4 miles of Line 1278, commencing in Northampton County and terminating in Pike County, Pennsylvania. This portion of pipeline would be upgraded to 20-inch-diameter pipeline mostly within the same trench of the existing pipeline on Columbia's existing right-of-way. Additional temporary workspace outside of Columbia's existing right-of-way would be required.

Pursuant to the Pennsylvania Department of Transportation (PENNDOT) relocation of Route 209 (future Route 402) in Marshall's Creek, Monroe County, Pennsylvania, Columbia has been forced to relocate 0.8 mile of its existing right-of-way. The forced relocation (included in the overall 43.4-mile segment) would result in about 6.1 acres of impact. Upon relocation of the pipeline at Route 209, Columbia would abandon the existing right-of-way affected by PENNDOT's project-in-place. PENNDOT would acquire property rights over the affected portions of Columbia's right-of-way and the abandoned pipeline.

Columbia would replace eight 14-inch-diameter valve settings with 20-inch-diameter valve settings, remove a 12-inch-diameter valve setting, and install a new 20-inch-diameter valve setting. The existing 14-inch diameter pig launcher presently located at the Easton Compressor Station would be removed and relocated to the northern terminus of the project at Weber Road for use on Line 1278 northward to the Millrift Valve Station at the Delaware River. A new 20-inch-diameter receiver and a 12-inch-diameter regulator setting would also be installed at the Millrift Valve Station.

Columbia would proceed with construction in four distinct segments. The 0.8 mile relocation at Route 209 would proceed from May through November of 2004 as would 15.1 miles of the replacement in Pike County. From May through November of 2005, Columbia would undertake the replacement of a 21.1 mile segment in Northampton and Monroe Counties and a 6.2 mile segment in Monroe and Pike Counties.

The location of the project facilities is shown in appendix 1.<sup>2</sup>

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of all appendices, other than appendix 1 (maps), are available on the Commission's Web site at the

### Land Requirements for the Project

It is expected that 478.7 acres would be affected by the replacement project. The project would utilize Columbia's existing 50-foot right-of-way and a 25-foot temporary construction right-of-way. About 23.5 acres of extra workspace would be needed for staging areas, and at road crossings, waterbody and wetland crossings, and steep slopes. About 34.9 acres of access roads would also be needed temporarily, and all but one of the access roads are existing.

The 0.8 mile reroute consisting of 6.1 (included in the above total) acres would be the only new permanent right-of-way acquired by Columbia for this project. The launcher/receiver and regulator setting would require a new fenced lot of about 100-feet by 200-feet at Weber Road at the northern terminus of the project.

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us<sup>3</sup> to discover and address concerns the public may have about proposals. This process is referred to as "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils.
- Land use.
- Water resources, fisheries, and wetlands.
- Cultural resources.
- Vegetation and wildlife.
- Air quality and noise.

"eLibrary" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>3</sup> "We", "us", and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

- Public safety.
  - Endangered and threatened species.
- We will also evaluate possible alternatives to the proposed project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, Native American tribes, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by Columbia. This preliminary list of issues may be changed based on your comments and our analysis.

- Crossing through 3.6 miles of the Delaware Water Gap—National Recreation Area.
- Crossing 51 perennial streams.
- Crossing 124 wetlands, including disturbance to 26.3 acres of forested wetlands.
- One federally-listed amphibian specie.
- 172 residences located within 50 feet of the construction work area.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentator, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send an original and two copies of your letter to: Magalie R. Salas, Secretary, Federal Energy Regulatory

Commission, 888 First St., NE., Room 1A, Washington, DC 20426.

- Label one copy of the comments for the attention of Gas Branch 1.
- Reference Docket No. CP04–34–000.
- Mail your comments so that they will be received in Washington, DC on or before February 23, 2004.

Please note that we are continuing to experience delays in mail deliveries from the U.S. Postal Service. As a result, we will include all comments that we receive within a reasonable time frame in our environmental analysis of this project. However, the Commission strongly encourages electronic filing of any comments or interventions or protests to this proceeding. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link and the link to the User's Guide. Before you can file comments you will need to create a free account which can be created on-line.

We may mail the EA for comment. If you are interested in receiving it, please return the Information Request (appendix 4). If you do not return the Information Request, you will be taken off the mailing list.

#### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor." Intervenor play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2).<sup>4</sup> Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

<sup>4</sup>Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.

#### Environmental Mailing List

An effort is being made to send this notice to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

#### SUPPLEMENTARY INFORMATION:

Additional information about the project is available from the Commission's Office of External Affairs, at 1–866–208–FERC or on the FERC Internet website (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance with eLibrary, the eLibrary helpline can be reached at 1–866–208–3676, TTY (202) 502–8659, or at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov). The eLibrary link on the FERC Internet Web site also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, public meetings or site visits will be posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4–128 Filed 1–27–04; 8:45 am]

BILLING CODE 6717–01–P

#### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

[Project No. 287–009]

#### Midwest Hydro Inc.; Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions

January 20, 2004.

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

a. *Type of Application:* New major license.

b. *Project No.:* 287–009.

c. *Date Filed:* April 8, 2002.

d. *Applicant:* Midwest Hydro Inc.

e. *Name of Project:* Dayton Hydroelectric Project.

f. *Location:* On the Fox River near the City of Dayton, in La Salle County, Illinois. The project does not occupy Federal lands.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* Mr. Loyal Gake, Midwest Hydro Inc., 116 State Street, P.O. Box 167, Neshkoro, WI 54960 (920) 293–4628.

i. *FERC Contact:* Tom Dean at (202) 502–6041, [thomas.dean@ferc.gov](mailto:thomas.dean@ferc.gov).

j. *Deadline for filing comments, recommendations, terms and conditions, and prescriptions:* 60 days from the issuance date of this notice, reply comments due 105 days from the issuance date of this notice.

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. Documents 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 "eFiling" link.

The Commission's rules of practice and procedure require all intervenors 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.

k. *Status of environmental analysis:* This application is ready for environmental analysis at this time.

l. *Description of Project:* The existing project consists of: (1) A 23-foot-high, 594-foot-long arch buttress concrete dam; (2) a 200-foot-long earthen embankment; (3) a concrete head gate structure with four 15.5-foot-wide by 9.5-foot-high wooden gates; (4) a 900-foot-long, 135-foot-wide power canal; (5) a 200-acre reservoir with a normal storage capacity of 605 area-feet, at a normal pool elevation of 498.90 mean sea level; (6) a powerhouse containing three generating units with a combined capacity of 3,680 kW; and (7) appurtenant facilities.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at