

may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Pat Halsey at the address or telephone number listed above. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of five minutes to present their comments.

*Minutes:* Minutes of this meeting will be available for public review and copying at the Department of Energy's Information Center at 475 Oak Ridge Turnpike, Oak Ridge, TN between 8 a.m. and 5 p.m. Monday through Friday, or by writing to Pat Halsey, Department of Energy Oak Ridge Operations Office, P.O. Box 2001, EM-90, Oak Ridge, TN 37831, or by calling her at (865) 576-4025.

Issued at Washington, DC on March 24, 2004.

**Rachel M. Samuel,**

*Deputy Committee Management Officer.*

[FR Doc. 04-6912 Filed 3-26-04; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Environmental Management Site-Specific Advisory Board, Paducah

**AGENCY:** Department of Energy (DOE).

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Paducah. The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of these meetings be announced in the **Federal Register**.

**DATES:** Thursday, April 15, 2004, 5:30 p.m.-9:30 p.m.

**ADDRESSES:** 111 Memorial Drive, Barkley Centre, Paducah, Kentucky.

**FOR FURTHER INFORMATION CONTACT:** William E. Murphie, Deputy Designated Federal Officer (DDFO), Department of Energy Portsmouth/Paducah Project Office, 1017 Majestic Drive, Suite 200, Lexington, Kentucky 40513, (859) 219-4001.

**SUPPLEMENTARY INFORMATION:** *Purpose of the Board:* The purpose of the Board is to make recommendations to DOE and its regulators in the areas of

environmental restoration and waste management activities.

#### *Tentative Agenda*

5:30 p.m.—Informal Discussion

6 p.m.—Call to Order; Introductions; Approve March Minutes; Review Agenda

6:05 p.m.—DDFO's Comments

6:25 p.m.—Ex-officio Comments

6:35 p.m.—Federal Coordinator Comments

6:45 p.m.—Public Comments and Questions

6:55 p.m.—Break

7:05 p.m.—Task Forces/Presentations  
Conflict of Interest

Waste Disposition

Water Quality

Community Outreach

Long Range Strategy/Stewardship

8:05 p.m.—Public Comments and Questions

8:15 p.m.—Administrative Issues

Review of Work Plan

Review of Next Agenda

Chairs Meeting

8:35 p.m.—Review of Action Items

8:50 p.m.—Subcommittee Reports

Executive Committee

9:15 p.m.—Final Comments

9:30 p.m.—Adjourn

Copies of the final agenda will be available at the meeting.

*Public Participation:* The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact David Dollins at the address listed below or by telephone at (270) 441-6819. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comments will be provided a maximum of five minutes to present their comments as the first item of the meeting agenda.

*Minutes:* The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585 between 9 a.m. and 4 p.m., Monday-Friday, except Federal holidays. Minutes will also be available at the Department of Energy's Environmental Information Center and Reading Room at 115 Memorial Drive, Barkley Centre, Paducah, Kentucky between 8 a.m. and 5 p.m. on Monday thru Friday or by writing to David

Dollins, Department of Energy Paducah Site Office, Post Office Box 1410, MS-103, Paducah, Kentucky 42001 or by calling him at (270) 441-6819.

Issued at Washington, DC on March 23, 2004.

**Rachel M. Samuel,**

*Deputy Advisory Committee Management Officer.*

[FR Doc. 04-6913 Filed 3-26-04; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2165-015—Alabama Black Warrior River Project]

#### Alabama Power Company; 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

March 22, 2004.

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. 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

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

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.

By the letter filed February 3, 2004, Steven Rickerson, Forest Supervisor, requested to be placed on the Restricted Service List for the Black Warrior River Project. 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. Forest Service:

Steven Rickerson, Forest Supervisor, National Forests in Alabama, 2946 Chestnut Street, Montgomery, AL 36107.

The addition to the restricted service list is effective immediately.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-697 Filed 3-26-04; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2232-457]

#### Duke Power Company; Notice of Availability of Environmental Assessment

March 23, 2004.

In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Energy Regulatory Commission's (Commission) regulations (18 CFR Part 380), Commission staff have prepared an environmental assessment (EA) that analyzes the environmental impacts of allowing Duke Power Company, licensee for the Catawba-Wateree Hydroelectric Project, to grant an updated Water Withdrawal Easement to the City of Mount Holly, North Carolina for project property within Mountain Island Lake that will supercede an existing easement. The updated easement will allow Mount Holly to install and maintain new intake screens on existing water intake pipes at its Raw Water Intake Pumping Station at

Mountain Island Lake, and allow Mount Holly to increase water withdrawals from the currently-permitted rate of 3.0 million gallons per day (MGD) to a maximum of 13.5 MGD. Increases in water withdrawal would occur incrementally over time. The EA contains staff's analysis of the potential environmental impacts of the proposal and concludes that approval of the Proposed Action would not constitute a major Federal action significantly affecting the quality of the human environment.

A copy of the EA is attached to a Commission order titled "Order Approving Non-Project Use of Project Lands and Waters," which was issued March 23, 2004, and is available for review and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426. The EA may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "elibrary" link. Enter the docket number (prefaced by P-) and 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 (866) 208-3676, or for TTY, contact (202) 502-8659.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-698 Filed 3-26-04; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EC04-73-000, et al.]

#### Midwest Generation, LLC, et al.; Electric Rate and Corporate Filings

March 22, 2004.

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

##### 1. Midwest Generation, LLC; Nesbitt Asset Recovery, Series C-1; Nesbitt Asset Recovery, Series C-2; Nesbitt Asset Recovery, Series C-3; Nesbitt Asset Recovery, Series C-4

[Docket No. EC04-73-000]

Take notice that on March 18, 2004, Midwest Generation, LLC; Nesbitt Asset Recovery, Series C-1; Nesbitt Asset Recovery, Series C-2; Nesbitt Asset Recovery, Series C-3; and Nesbitt Asset Recovery, Series 4 (collectively, the Applicants) filed a supplement to their

application filed March 12, 2004 in the above-referenced Docket No. pursuant to section 203 of the Federal Power Act for authorization of the disposition of jurisdictional facilities in connection with the termination of a sale and leaseback transaction involving the Collins Generating Station, a 2,698-MW generating plant located in Morris, Illinois.

*Comment Date:* April 2, 2004.

##### 2. Exelon New England Holdings, LLC et al., EBG Holdings LLC

[Docket No. EC04-77-000]

Take notice that on March 19, 2004, Exelon New England Holdings, LLC (Exelon New England), Boston Generating, LLC (Boston Generating), and EBG Holdings, LLC (EBG Holdings) filed with the Commission an application, pursuant to section 203 of the Federal Power Act, and Part 33 of the Commission's regulations, seeking authorization for the transfer of one hundred (100) percent of the membership interests of Boston Generating owned by Exelon New England from Exelon New England to EBG Holdings. The applicants request expedited consideration of the application.

*Comment Date:* April 9, 2004.

##### 3. Black River Generation, LLC

[Docket No. EG04-39-000]

Take notice that on March 18, 2004, Black River Generation, LLC, (Black River Generation) tendered for filing with the Commission an Application for Determination of Exempt Wholesale Generator Status pursuant to section 32 of the Public Utility Holding Company Act of 1935, as amended, and Part 365 of the Commission's Regulations. Black River Generation states that it will lease and operate the Fort Drum Project, which is located at the Fort Drum Army base near Watertown, New York, until June 30, 2005, at which time it will acquire the Project.

Black River Generation states that copies of the Application have been served on the New York Public Service Commission and the U.S. Securities and Exchange Commission.

*Comment Date:* April 8, 2004.

##### 4. Frederickson Power, L.P.

[Docket No. EG04-40-000]

Take notice that on March 12, 2004, Frederickson Power L.P. (Frederickson) tendered for filing a Notification of Change in Facts and Request for Confirmation of Exempt Wholesale Generator Status.

*Comment Date:* April 2, 2004.