

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]

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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 or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Magalie R. Salas,

Secretary.

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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.