

CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. For further information, contact Jim Fargo at 202-502-6095 or by e-mail at jamesfargo@ferc.gov.

After reviewing the comments, the Commission will decide whether to revise this EA and will notify the parities accordingly.

Magalie R. Salas,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP04-60-000]

Tennessee Gas Pipeline Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Tewksbury-Andover Lateral Project and Request for Comments on Environmental Issues

May 7, 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 Tewksbury-Andover Lateral Project involving construction and operation of facilities by Tennessee Gas Pipeline Company (Tennessee) in Middlesex and Essex Counties, Massachusetts.¹ These facilities would consist of about 5.3 miles of 8-inch-diameter pipeline, pig launcher and receiver facilities, and a meter station. 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

¹ Tennessee originally filed its application as a Prior Notice Application under Sections 157.208(b)(2) and 157.211(a)(2) of the Commission's regulations. Four landowners filed protests to Tennessee's filing on March 8, 22, and 26, 2004, on economic grounds. In addition, the staff filed a protest citing unresolved rate issues. None of the protests were resolved within the 30-day protest resolution period. Therefore, Tennessee's filing has converted to a Natural Gas Act, Section 7(c) application.

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.

Summary of the Proposed Project

Tennessee wants to transport up to 25,000 decatherms per day for Bay State Gas Company and Wyeth Pharmaceuticals, Inc. (Wyeth) in Essex County, Massachusetts. Tennessee seeks authority to construct and operate:

- 5.31 miles of 8-inch-diameter pipeline (Tewksbury-Andover Lateral) in Middlesex and Essex Counties, Massachusetts;
- A pig launcher facility in Middlesex County, Massachusetts, at milepost (MP) 270B-102+1.53 of Tennessee's Concord Lateral, that is the point of interconnection with the proposed Tewksbury-Andover Lateral; and
- A pig receiver facility and meter station at MP 5.31 of the proposed Tewksbury-Andover Lateral, at the Wyeth facility in Essex County, Massachusetts.

The general location of the project facilities is shown in appendix 1.²

Land Requirements for Construction

Construction of the proposed facilities would require about 30.2 acres of land. Following construction, about 12.5 acres would be maintained as new permanent right-of-way and aboveground facility sites. The remaining 24.4 acres of land would be restored and allowed to revert to its former use.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us 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 staff requests public comments on the scope of the issues to address in the EA. All

² 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 "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.

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.

In the EA we³ 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;
- Endangered and threatened species;
- Public safety.

We will also evaluate potential alternatives to the proposed project or portions of the project, and make recommendations, if appropriate, 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 might be published and mailed to Federal, state, and local agencies, public interest groups, 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 beginning on page 4.

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, alternatives to the proposal (including alternative routes), 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,

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

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 3.

- Reference Docket No. CP04-60-000.

- Mail your comments so that they will be received in Washington, DC, on or before June 11, 2004.

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 "Documents & Filing, 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 might 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).⁴ 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.

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. This includes all landowners who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within distances defined in the Commission's regulations of certain aboveground facilities. By this notice we are also asking governmental agencies, especially those in appendix 3, to express their interest in becoming cooperating agencies for the preparation of the EA.

Additional Information

Additional information about the project may be obtained through the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<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. 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.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Tendered for Filing With the Commission, Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

May 5, 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.:* 2150-033.

c. *Date Filed:* April 30, 2004.

d. *Applicant:* Puget Sound Energy.

e. *Name of Project:* Baker River Project.

f. *Location:* On the Baker River, near the Town of Concrete, in Whatcom and Skagit Counties, Washington. The project occupies about 5,207 acres of lands within the Mt. Baker-Snoqualmie National Forest managed by the U.S. Forest Service.

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

h. *Applicant Contact:* Connie Freeland, Puget Sound Energy, P.O. Box 97034 PSE-09S Bellevue, WA 98009-9734; (425) 462-3556 or connie.freeland@pse.com.

i. *FERC Contact:* Steve Hocking, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426; (202) 502-8753 or steve.hocking@ferc.gov.

j. *Cooperating Agencies:* We are asking Federal, State, local and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of an environmental document pursuant to the National Environmental Policy Act. Agencies who would like to request cooperating agency status should follow the instructions for filing comments described in item k below.

k. *Deadline for filing comments and requests for cooperating status:* June 30, 2004.

All documents (original and eight copies) must be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please put the project name "Baker River Project" and project number "P-2150-033" on the first page of all documents.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of

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