

Operator Corporation (California ISO) submitted an application pursuant to section 204 of the Federal Power Act seeking authorization to issue long-term debt in the form of bonds, notes and guarantees in an amount not to exceed \$130 million.

California ISO also requests a waiver from the Commission's competitive bidding and negotiated placement requirements at 18 CFR 34.2.

*Comment Date:* 5 p.m. eastern standard time on September 28, 2004.

### Standard Paragraph

Any person desiring to intervene or to protest this filing must file 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all parties to this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Magalie R. Salas,**  
Secretary.

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**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Settlement Agreement and Soliciting Comments

September 15, 2004.

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.:* 2105-089.

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

d. *Applicant:* Pacific Gas and Electric Company.

e. *Name of Project:* Upper North Fork Feather River Project.

f. *Location:* On the North Fork Feather River, in the vicinity of the community of Chester, Plumas County, California, T28N, R7E. The project occupies 1,500 acres of land administered by the Forest Supervisors of the Lassen and Plumas National Forests.

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

h. *Applicant Contact:* Mr. Randal Livingston, Lead Director, Hydro Generation Department, Pacific Gas and Electric Company, P.O. Box 770000, N11C, San Francisco, CA 94177, (415) 973-6950.

i. *FERC Contact:* Any questions concerning this notice should be addressed to John Mudre, e-mail address [john.mudre@ferc.gov](mailto:john.mudre@ferc.gov), or telephone (202) 502-8902.

j. *Deadline for Filing Comments:* The deadline for filing comments on the settlement agreement is November 1, 2004.<sup>1</sup> Reply comments are due December 1, 2004.

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.

The Commission's Rules of Practice 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.

<sup>1</sup> Comments on the settlement agreement may be combined or filed jointly with comments on the Commission's September 2004 draft Environmental Impact Statement for this proceeding, which presents staff's analysis of the settlement agreement. Those comments are also due on November 1, 2004.

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. Pacific Gas and Electric Company filed the Settlement Agreement on behalf of itself and the U.S. Department of Agriculture Forest Service (FS), the California Department of Fish and Game, American Whitewater, Plumas County, Chico Paddleheads, Shasta Paddlers, Mountain Meadows Conservancy, and the California Sportfishing Protection Alliance. The purpose of the Settlement Agreement is to resolve among the signatories all lake level and streamflow issues for ecological purposes, river-based recreational uses, and other resolved subjects in support of FS issuing its recommended conditions and the Commission issuing a new project license. Water temperature issues and the term of license were not resolved by the Settlement Agreement.

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 "eLibrary" 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.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

m. *Procedural Schedule:* The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule will be made as appropriate.

*Comments on DEIS and Settlement Agreement:* November 1, 2004.

*Notice of the Availability of the FEIS:* April 2005.

**Linda Mitry,**  
Acting Secretary.

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