

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Application for Non-Capacity Amendment of License and Non-Project Use of Project Lands and Soliciting Comments, Motions To Intervene, and Protests**

March 9, 2006.

a. *Type of Application:* Application for Non-Capacity Amendment of License and Non-Project Use of Project Lands.

b. *Project Number:* P-2306-084.

c. *Date Filed:* January 5, 2006.

d. *Applicant:* Great Bay Hydro Corporation.

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

f. *Location:* The project is located on the Clyde River in Orleans County, Vermont

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 and 825.

h. *Applicant Contact:* Mr. Anthony M. Callendrello, Great Bay Hydro Corporation, 1 New Hampshire Avenue, Suite 125, Portsmouth, NH 03801. (603)-766-4990.

i. *FERC Contact:* Any questions on this notice should be addressed to Chris Yeakel at (202) 502-8132, or e-mail address: [christopher.yeakel@ferc.gov](mailto:christopher.yeakel@ferc.gov).

j. *Deadline for filing comments and or motions:* April 10, 2006.

k. *Description of Request:* Great Bay Hydro Corporation proposes an amendment to the project boundary by conveyance to the State of Vermont, Agency of Natural Resources (ANR); (a) all project lands, waters and facilities, totaling about 27.9 acres, associated with the Seymour, Echo, and former Newport No. 11 dams; and (b) 25 acres of project land on Clyde Pond associated with the Newport dam and Newport Nos. 1,2,3 developments. Additionally, Great Bay proposes non-project use of project lands by conveyance to ANR 8 acres of project lands near the Newport Nos. 1,2,3 bypass as a permanent conservation easement. Great Bay would retain a 200 foot long strip of riparian land of the former Newport No. 11 project located directly downstream of the Newport Nos. 1,2,3 development.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also 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 (p-11433) to access the document. You may also 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, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. 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. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. *Agency Comments:* Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

q. Comments, 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 at <http://www.ferc.gov> under the "e-Filing" link.

Magalie R. Salas,  
Secretary.

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**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Project No. 2692]

**Duke Power; Notice of Authorization for Continued Project Operation**

March 9, 2006.

On February 20, 2004, Duke Power, licensee for the Nantahala Hydroelectric Project No. 2692, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. Project No. 2692 is located on the Nantahala River and its tributaries, in Macon and Clay Counties, North Carolina.

The license for Project No. 2692 was issued for a period ending February 28, 2006. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year to year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of Section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 2692 is issued to Duke Power of Macon and Clay Counties, North Carolina for a period effective March 1, 2006 through February 28, 2007, or until the issuance of a new license for the project or other