

remove the outdated restriction on sales to Illinois Power Co.

*Filed Date:* 10/04/2006.

*Accession Number:* 20061006-0009.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, October 25, 2006.

*Docket Numbers:* ER07-14-000.

*Applicants:* Southwest Power Pool, Inc.

*Description:* Southwest Power Pool, Inc submits notices of cancellation for Network Operating Agreements.

*Filed Date:* 10/04/2006.

*Accession Number:* 20061006-0008.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, October 25, 2006.

Any person desiring to intervene or to protest in any of the above proceedings 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) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St. NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.*

[FR Doc. E6-17173 Filed 10-16-06; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP06-428-000]

#### **Panhandle Eastern Pipeline Company, LP; Notice of Intent To Prepare an Environmental Assessment for the Proposed Tuscola East Project and Request for Comments on Environmental Issues and Notice of Scoping Meeting**

October 11, 2006.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of Panhandle Eastern Pipeline Company, LP's (Panhandle) planned Tuscola East Project located in Douglas County, Illinois and Parke, Marion, Boone, and Hamilton Counties, Indiana.<sup>1</sup> This notice announces the opening of the scoping process we will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine which issues need to be evaluated in the EA. Please note that the scoping period will close on November 13, 2006.

Comments may be submitted in written form or presented verbally at the public meeting detailed below. Further details on how to submit written comments are provided in the public participation section of this notice. In lieu of sending written comments, you are invited to attend the public scoping meeting that is scheduled as follows:

#### **Tuscola East Project**

Tuesday—October 24, 2006, 7 p.m. (EST), VFW in Noblesville, 654 S 9th Street, Noblesville IN 46060. (317) 770-3954.

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 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.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice Panhandle provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet Web site (<http://www.ferc.gov>).

#### **Summary of the Proposed Project**

Due to the age of Panhandle's existing line and the Department of Transportation's Integrity Management Plan regulations, Panhandle reduced the operating pressure on one line by 20 percent in 2004. Additional measures to mitigate risk for High Consequence Areas must be implemented by end of 2011. Panhandle's project purpose is to restore long-haul transportation capacity from Tuscola heading east to Michigan by replacing the existing diameter pipeline with larger diameter pipeline. In general, these facilities would consist of replacing about 31.3 miles of pipeline consisting of three segments and abandoning in place or by removal the existing 29.4 miles of pipelines that correspond with the new replacement lines. Specifically, the project includes:

- *Tuscola 100-Line (Douglas County, IL)*—Replacing 6.7 miles of existing 100-Line 20-inch diameter pipeline with 36-inch diameter pipeline, designating the new pipeline as the 500-Line, and installing a new pig launcher/receiver;
- *Tuscola 200-Line (Douglas County, IL)*—Replacing 1.9 miles of the existing 200-Line 36-inch diameter pipeline with 20-inch diameter pipeline (the 1.9 miles of 36-inch pipeline replaced would be used for the new 500-Line);

- *Montezuma 100-Line (Parke County, IN)*—Replacing 6.6 miles of the existing 100-Line 20-inch diameter pipeline with 36-inch diameter pipeline, designating the new pipeline as the 500-Line, and installing a new pig launcher/receiver; and

- *Zionsville 200-Line (Marion, Boone, and Hamilton Counties, IN)*—Replacing 18.0 miles of the existing 200-Line 24-inch diameter pipeline with 30-inch diameter pipeline, designating the new

<sup>1</sup> Panhandle's application was filed with the Commission under section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

pipeline as the 500-Line, and installing a new pig launcher/receiver.

The majority of all segments to be replaced would be abandoned by removal, and at stream, wetland, pipeline crossovers, and uncased road crossing the pipeline would be abandoned in place. Also 16 taps would be disconnected from the 100 and 200-Lines and reconnection to the nearest adjacent lines would be required in order to continue providing service. The general locations of the project facilities are shown in Appendix 1.<sup>2</sup>

#### Land Requirements for Construction

Panhandle proposes to use a 125-foot wide right-of-way, which would overlap its existing permanent right-of-way. However, a temporary construction right-of-way may be required. Panhandle would first install the new 500-Line along each segment, and then remove the 100- and 200-Lines from their respective rights-of-way. The new 500-Line would be installed within the existing rights-of-way of each segment with a 25-foot offset from the existing mainlines. Construction of the proposed facilities would require about 546.6 acres of land. Following construction, about 204.8 acres would be maintained as permanent easement or aboveground facility sites as part of Panhandle's existing permanent rights-of-way. No additional permanent rights-of-way would be required because the proposed project would be operated within existing Panhandle rights-of-way. The remaining 341.8 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

<sup>2</sup>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 Room, 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, we<sup>3</sup> 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.
- Air quality and noise.
- Endangered and threatened species.
- Hazardous waste.
- Public safety.

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations 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 may 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 below.

#### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by Panhandle. This preliminary list of issues may be changed based on your comments and our analysis.

- Project-related impact on:
- Threatened and Endangered Species;
  - Noise impacts from construction activities and operations
  - Pipeline Safety and reliability; and
  - Residences or structures within 50 feet of the construction work space.

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

#### 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 locations and/or 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, 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 2.
- Reference Docket No. CP06-428-000.
- Mail your comments so that they will be received in Washington, DC on or before November 13, 2006.

Please note that 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 "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 may mail the EA for comment. If you are interested in receiving it, please return the Information Request (Appendix 2). 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, or "intervenor". 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). Intervenor's have the right to seek rehearing of the Commission's decision. Motions to Intervene should be electronically submitted using the commission's eFiling system at <http://www.ferc.gov>. Persons without Internet access should send an original and 14 copies of their motion to the Secretary of the Commission at the address indicated previously. Persons filing Motions to Intervene on or before the comment

deadline indicated above must send a copy of the motion to the Applicant. All filings, including late interventions, submitted after the comment deadline must be served on the Applicant and all other intervenors identified on the Commission's service list for this proceeding. Persons on the service list with email addresses may be served electronically; others must be served a hard copy of the filing.

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.

#### Additional Information

Additional information about the project is available from 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, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, contact (202)502-8659. The eLibrary link 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.*

[FR Doc. E6-17199 Filed 10-16-06; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Motions to Intervene, Protests, and Comments

October 11, 2006.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Type of Application:* Preliminary Permit.
- b. *Project No:* 12727-000.
- c. *Date filed:* August 17, 2006.
- d. *Applicant:* Lincoln County, Oregon.
- e. *Name of Project:* Lincoln County Wave Energy Project.
- f. *Location:* The project would be located in the Pacific Ocean in Lincoln County, Oregon.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).
- h. *Applicant Contacts:* Mr. Wayne Belmont, Lincoln County, Oregon, 225 W. Olive Street, Room 110, Newport, OR 97365, phone: (541)-265-4108.
- i. *FERC Contact:* Robert Bell, (202) 502-6062.
- j. *Deadline for filing comments, protests, and motions to intervene:* 60 days from the issuance date of this notice.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person in 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.

k. *Description of project:* Oregon's offshore conditions present the most optimal wave environment for extracting potential useful energy according to the Electrical Power Research Institute (EPRI). The wave energy project would be bounded on the north and south by a 3-mile-long line, on the east by the shoreline defined by the border of Lincoln County, and on the west by a parallel line 3 miles offshore. Within this area Lincoln County together with the Central

Lincoln People's Utility District (CLPUD), has identified at least nine potential interconnections between the existing CLPUD near shore substations on the power distribution grid and possible "wave energy park" locations off the coast of Lincoln County. A Bonneville Power Administration (BPA) substation in Toledo, Oregon can distribute power beyond the county on the electrical grid. Lincoln County's project will comply with all interconnection requirements as specified by CLPUD and BPA. In addition, there are potentially other connections including utilizing an existing outfall for a major power user and possible interconnections with Pacific Power in the northern portion of Lincoln County.

Such wave parks have the potential of generating up to 20 megawatts (MW) of power or more. Multiple sites would be beneficial to the immediate area and to the Pacific Northwest in supplementing the region's hydropower capacity and in providing generation to the west of the Cascade Mountain Range, thereby easing congestion on the east-west transmission grid in region. While recognizing that wave energy will be an intermittent energy source, and mindful of integration needs, waves are far less intermittent than wind energy and are predictable many hours ahead of their occurrence.

Lincoln County will examine all the available wave power technologies for each location within the project boundary. Lincoln County will work closely with Oregon State University as a leader in wave power development. All the alternative Wave Energy Conversion (WEC) devices capable of generating commercially viable energy will be explored.

Lincoln County will seek investment of available economic development dollars to locate businesses to both support wave parks off our county shores and to create and test new technologies. The Port of Newport has two deep-draft terminals for support vessels servicing the wave power parks. Adequate industrial lands adjacent to those terminals, with full infrastructure improvements including water, sewer, and highways, are available to develop local wave park technology, manufacturing, maintenance and repair businesses. Oregon State University, which has launched an initiative to create the U.S. Ocean Wave Energy Research, Development and Demonstration Center, maintains the Hatfield Marine Science Center on Yaquina Bay in Newport, which could become a primary center for creating