

### Meeting Procedures

The meetings will be recorded by a stenographer and will become part of the formal record of the Commission proceeding on the project.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E7-10806 Filed 6-5-07; 8:45 am]

BILLING CODE 6717-01-P

### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

[Project No. 199-205]

#### South Carolina Public Service Authority; Notice of Settlement Agreement and Soliciting Comments

May 30, 2007.

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 Nos.:* P-199-205.

c. *Date filed:* May 24, 2007.

d. *Applicant:* South Carolina Public Service Authority (SCPSA).

e. *Name of Project:* Santee Cooper Hydroelectric Project.

f. *Location:* On the Santee and Cooper Rivers in Berkeley, Calhoun, Clarendon, Orangeburg, and Sumter Counties in South Carolina, about 50 miles north of Charleston and 60 miles southeast of Columbia, South Carolina. The project does not affect federal lands.

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

h. *Applicant Contact:* Mr. John Dulude, P.E., South Carolina Public Service Authority, One Riverwood Plaza, P.O. Box 2946101, Moncks Corner, SC 29461-2901; (843) 761-4046.

i. *FERC Contact:* Monte TerHaar at [monte.terhaar@ferc.gov](mailto:monte.terhaar@ferc.gov), or (202) 502-6035.

j. *Deadline for filing comments:* June 18, 2007. Reply comments due July 3, 2007.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, 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.

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. SCPSA filed a settlement on behalf of itself, the U.S. Fish and Wildlife Service (FWS), and the South Carolina Department of Natural Resources (SCDNR). The purpose of the settlement agreement is to resolve, among the signatories, issues associated with issuance of a new license for the project, including diadromous fish passage and management, as well as instream flows for the Santee River. Major issues covered in the settlement include: (1) FWS's revised section 18 fishway prescription; (2) withdrawal of FWS's preliminary section 4(e) conditions; (3) minimum flow releases from the Santee Dam to the Santee River, including establishment of a technical advisory committee; (4) development of a low flow operating protocol; and (5) twelve measures to address waterfowl management and recreation boating at the Santee National Wildlife Refuge.

1. 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.

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, contact FERC Online Support.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E7-10807 Filed 6-5-07; 8:45 am]

BILLING CODE 6717-01-P

### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

[Project No. 12796-000, Project No. 12797-000, Project No. 12801-000]

#### City of Wadsworth, OH, Rathgar Development Associates, LLC, Kentucky Municipal Power Agency; Notice of Competing Applications Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

May 30, 2007.

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection:

a. *Type of Applications:* Preliminary Permit (Competing).

b. *Applicants, Project Numbers, and Dates Filed:*

City of Wadsworth, Ohio, filed the application for Project No. 12796-000 on April 24, 2007.

Rathgar Development Associates, LLC filed the application for Project No. 12797-000 on April 26, 2007.

Kentucky Municipal Power Agency filed the application for Project No. 12801-000 on May 18, 2007.

c. *Name of the project is Robert C. Byrd Dam Project.* The project would be located on the Ohio River in Mason County, West Virginia, and Gallia County, Ohio. It would use the U.S. Army Corps of Engineers' existing Robert C. Byrd Dam.

d. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

e. *Applicants Contacts:* For the City of Wadsworth, Ohio: Mr. Phillip E. Meier, Chief Information Officer, American Municipal Power—Ohio, 2600 Airport Road, Columbus, OH 43219, (614) 416-8135. Rathgar Development Associates, LLC: Mr. Paul V. Nolan, Esquire, 5515 North 17th Street, Arlington, VA 22205, (703) 534-5509. For the Kentucky Municipal Power Agency: Francis E. Francis, Esquire, Spiegel and McDiarmid, 1333 New Hampshire Avenue, Washington, DC 20036, (202) 879-4000.

f. *FERC Contact:* Robert Bell, (202) 502-6062.

g. *Deadline for filing comments, protests, and motions to intervene:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. 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 under the "e-Filing" link. The Commission strongly encourages electronic filings. Please include the project number (P-12796-000, P-12797-000, or P-12801-000) on any comments or motions filed.

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.

*h. Description of Projects:* The project proposed by the City of Wadsworth, Ohio, would utilize the U.S. Army Corps of Engineers' existing Robert C. Byrd Dam and consist of: (1) A proposed intake structure, (2) a proposed powerhouse containing two generating units with a total installed capacity of 48 megawatts, (3) a proposed 138 kV transmission line, and (4) appurtenant facilities. The City of Wadsworth's, project would have an average annual generation of 247 gigawatt-hours.

The project proposed by Rathgar Development Associates, LLC would utilize the U.S. Army Corps of Engineers' Robert C. Byrd Dam and consist of: (1) A proposed intake structure, (2) a proposed powerhouse containing eight generating units with a total installed capacity of 46 megawatts, (4) a proposed 8,200-foot-long, 138-kV transmission line, and (5) appurtenant facilities. Rathgar Development Associates, LLC's project would have an average annual generation of 220 gigawatt-hours.

The project proposed by the Kentucky Municipal Power Agency would utilize the U.S. Army Corps of Engineers' Robert C. Byrd Dam and consist of: (1) A proposed intake structure, (2) a proposed powerhouse containing two generating units with a total installed capacity of 44 megawatts, (3) a proposed 1.7-mile-long, 138 kV transmission line, and (4) appurtenant facilities. The Kentucky Municipal Power Agency's project would have an average annual generation of 212 gigawatt-hours.

i. The filings are 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, call toll-free 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 e above.

*j. Competing Preliminary Permit:* Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (*see* 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

*k. Competing Development Application:* Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

*l. Notice of Intent:* A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

*m. Proposed Scope of Studies Under Permit:* A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

*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, .211, .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", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", and "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or 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.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E7-10808 Filed 6-5-07; 8:45 am]

**BILLING CODE 6717-01-P**