

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.

s. *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. E7-12481 Filed 6-27-07; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. DI07-10-000]

#### David and John Baxter; Notice of Declaration of Intention and Soliciting Comments, Protests, and/or Motions to Intervene

June 21, 2007.

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

- a. *Application Type:* Declaration of Intention.
- b. *Docket No.:* DI07-10-000.
- c. *Date Filed:* June 4, 2007.
- d. *Applicant:* David and John Baxter.
- e. *Name of Project:* Baxter Ranch Hydropower Project.
- f. *Location:* The proposed Baxter Ranch Hydropower Project will be located on Birch Creek, near Big Pine, in Inyo County, California, affecting T. 10 S., R. 34 E, sec. 19, Mt. Diablo Meridian.
- g. *Filed Pursuant to:* Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b).
- h. *Applicant Contact:* Rachel Weksler, 363 Academy Avenue, Bishop, CA 93514; telephone: (760) 873-4211.
- i. *FERC Contact:* Any questions on this notice should be addressed to

Henry Ecton, (202) 502-8768, or E-mail address: [henry.ecton@ferc.gov](mailto:henry.ecton@ferc.gov).

j. *Deadline for filing comments, protests, and/or motions:* July 23, 2007.

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/or interventions may be filed electronically via the Internet in lieu of paper. Any questions, please contact the Secretary's Office. 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."

Please include the docket number (DI07-10-000) on any comments, protests, and/or motions filed.

k. *Description of Project:* The proposed run-of-river Baxter Ranch Hydropower Project will include: (1) A 67-foot-long conduit from Birch Creek to the powerhouse, including a 25-foot-long sand trap; (2) A 16-foot-square powerhouse containing an impulse turbine and a 30-kW generator; (3) a 65-foot-long tailrace to Birch Creek; and (4) appurtenant facilities. The proposed project will provide power to ranch facilities, including a honey house and irrigation facilities. The project will not be connected to an interstate grid, and will not occupy any tribal or federal lands.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the interests of interstate or foreign commerce would be affected by the project. The Commission also determines whether or not the project: (1) Would be located on a navigable waterway; (2) would occupy or affect public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) if applicable, has involved or would involve any construction subsequent to 1935 that may have increased or would increase the project's head or generating capacity, or have otherwise significantly modified the project's pre-1935 design or operation.

l. *Locations of the Application:* Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the web at <http://www.ferc.gov> using the "eLibrary" link, select "Docket#" and follow the instructions. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or TTY, contact (202) 502-8659.

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, .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", "PROTESTS", AND/OR "MOTIONS TO INTERVENE", as applicable, and the Docket Number of the particular application to which the filing refers. 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.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E7-12482 Filed 6-27-07; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 9074-051]

#### Warrensburg Hydro Power Limited Partnership; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

June 21, 2007.

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

a. *Type of Application*: Request for temporary variance of the reservoir elevation requirement.

b. *Project No.*: 9074–051.

c. *Date Filed*: June 18, 2007.

d. *Applicant*: Warrensburg Hydro Power Limited Partnership.

e. *Name of Project*: Warrensburg Hydroelectric Project.

f. *Location*: Schroon River, in Warren County, New York.

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

h. *Applicant Contact*: Daniel McCarty, Boralex Hydro Operations, Inc., 39 Hudson Falls Road, South Glens Falls, New York 12803, (518) 747–0930.

i. *FERC Contact*: Thomas LoVullo at (202) 502–8900, or [thomas.lovullo@ferc.gov](mailto:thomas.lovullo@ferc.gov).

j. *Deadline for filing comments, motions to intervene and protests*: July 16, 2007.

All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P–9074) 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 whose name appears 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. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request*: Warrensburg Hydro Power Limited Partnership (licensee) is requesting a temporary variance of the reservoir elevation requirement stipulated in the Warrensburg Hydroelectric Project license to complete maintenance work. The south abutment or berm wall area of the project exhibits leakage that began shortly after the completion of the project in 1988. Based on continual leakage monitoring programs, numerous leakage mitigation measures have taken place over the years. The mitigation measures appear to have managed or controlled the situation; however, undesirable leakage continues. Based on the findings of two independent engineering assessments, the integrity of the south berm wall is not believed to be compromised in its current condition. Nevertheless, based on

recommendations, the licensee would like to proceed in implementing a plan (begun in 2005) to correct the leakage situation. The work activities would require the reservoir to be drawn down as similarly done in 2005 and 2006. The proposed schedule indicates the draw down to commence on July 31 and the construction work to occur over a four to six week period.

l. *Location of the Application*: The filing 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, 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 to access the document. You may also register online at <http://www.ferc.gov/docsfiling/esubscription.asp> to be notified via e-mail or 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, .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. Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers.

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.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E7–12483 Filed 6–27–07; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12678–002]

#### ORPC Alaska, LLC; Notice of Surrender of Preliminary Permit

June 20, 2007.

Take notice that ORPC Alaska, LLC, permittee for the proposed Resurrection Bay OCGen™ Power Project, has requested that its preliminary permit be terminated. The permit was issued on April 16, 2007, and would have expired on March 31, 2010.<sup>1</sup> The project would have been located in Resurrection Bay in the Gulf of Alaska between Aialik Peninsula and Resurrection Peninsula, near the City of Seward in Kenai Peninsula Borough, Alaska.

The permittee filed the request on May 29, 2007, and the preliminary permit for Project No. 12678 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday, part-day holiday that affects the Commission, or legal holiday as described in section 18 CFR 385.2007, in which case the effective date is the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E7–12477 Filed 6–27–07; 8:45 am]

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<sup>1</sup> 119 FERC ¶ 62,042.