

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 and 4.36.

p. *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.

q. *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.

r. *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.

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.

s. *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.

t. *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.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD07-13-000]

Conference on Enforcement Policy; Third Notice of Conference

November 2, 2007.

As announced in the "First Notice of Conference on Enforcement," issued on July 11, 2007, the Federal Energy Regulatory Commission (Commission) will hold a conference on November 16, 2007, to examine the implementation of its enforcement authority as expanded by the Energy Policy Act of 2005 (EPAct 2005).¹ The conference will be held in the Commission Meeting Room at the Commission's headquarters located at 888 First Street, NE., Washington, DC 20426. Hearing Room 1 will be available for over flow.

As stated in the previous notices, the purpose of the conference is to assess the enforcement program implemented by the Commission during the first two years after passage of EPAct 2005 primarily as it pertains to the additional subject matter authority and the expanded civil penalty authority in Part II of the Federal Power Act² and the Natural Gas Act.³ Standards of conduct,

market monitoring, transparency, and market manipulation will not be discussed as they are involved in or implicated by pending Commission proceedings. The Commission will accept comments filed within 30 days after the conference.

As indicated in the Second Notice of Conference, issued on October 4, 2007 (Second Notice), this further notice sets forth the final conference format and schedule. The agenda has changed slightly from the concept described in the Second Notice.⁴ To begin the conference, we have added a presentation by the staff from the Office of Enforcement. This presentation will present an overview of the Commission's actions and related enforcement activities during the first two years of EPAct Enforcement.

Following the staff panel, the second panel, consisting of former members of the Commission, will focus on an overview of enforcement from a broad policy perspective as well as from their perspectives of advising clients on how to comply with the Commission's rules and regulations. The discussion will examine how the Commission can best achieve compliance with regulatory requirements, and how it evaluates enforcement cases, including self-reported violations and matters that result in no penalty, and how companies subject to investigation can best respond to the Commission.

The third panel will address similar topics, but from the more specific perspective of energy practitioners. Since the key goal of enforcement is to encourage compliance, the panel will discuss the challenges of working with clients to comply with the Commission's regulations. In that regard, the panel will include a presentation from a representative of a company that, pursuant to a stipulation and agreement with Commission staff, developed and implemented a "best in class" model for regulatory compliance.⁵ In addition, the Commission would like to hear how practitioners counsel clients on how to respond to the Commission's enforcement staff during an investigation, including the factors weighed in the decision to self report.

The fourth panel will focus on reliability issues and includes representatives from the Electric Reliability Organization (the North American Electric Reliability Corporation), regional entities, and a utility. This discussion will look at how

¹ Pub. L. 109-58, 119 Stat. 594 (2005).

² 16 U.S.C. 791a *et seq.* (2000).

³ 15 U.S.C. 717 *et seq.* (2000).

⁴ See Attached agenda.

⁵ *Coral Energy Resources, L.P.*, 110 FERC ¶ 61,205, at P14 (2005).

the Regional Entities and the Electric Reliability Organization are processing self-reported violations and other compliance matters, as well as provide a utility perspective regarding compliance with the new mandatory reliability standards. The panel will address emerging practical issues of enforcement as well as the Commission's own authority to enforce mandatory reliability standards and its interest in the most effective way to achieve compliance with the standards.

As previously noted, all interested persons are invited to attend the conference, and there is *no* registration fee to attend. The conference will not be transcribed but will be web cast. A free web cast of this event will be available through <http://www.ferc.gov>. Anyone with Internet access who desires to view this event can do so by navigating to <http://www.ferc.gov's> Calendar of Events and locating this event in the Calendar. The event will contain a link to its web cast. The Capitol Connection provides technical support for the web casts and offers access to the meeting via phone bridge for a fee. If you have any questions, you may visit <http://www.CapitolConnection.org> or contact Danelle Perkowski or David Reininger at 703-993-3100.

FERC conferences and meetings are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to accessibility@ferc.gov or call toll free (866) 208-3372 (voice) or 202-502-8659 (TTY), or send a fax to 202-208-2106 with the required accommodations.

Kimberly D. Bose,
Secretary.

Agenda

9-9:15 a.m. Opening Remarks by Members of the Commission.
9:15-9:45 Panel I: *The First Two Years of EPA Act Enforcement.*

Susan J. Court, Director, Office of Enforcement. Anna V. Cochrane, Deputy Director, Office of Enforcement. Robert Pease, Director, Division of Investigations. Lee Ann Watson, Deputy Director, Division of Investigations. Stephen J. Harvey, Director, Division of Energy Market Oversight. Bryan K. Craig, Director, Division of Audits.

9:45-11 a.m. Panel II: *Enforcement Policy—Broad Policy Perspective.*

William L. Massey, Covington and Burling LLP. Clifford (Mike) M. Naeve, Skadden, Arps, Slate, Meagher & Flom. Donald F. Santa, President, Interstate Natural Gas Association of America.

11-11:10 Break.

11:10-12:45 Panel III: *Enforcement Policy—the Practitioners' View.*

Mark Hanafin, CEO, Shell Energy North America. Barbara K. Heffernan, Schiff Hardin LLP. Paul Korman, Van Ness Feldman. Richard Meyer, Senior Regulatory Counsel, National Rural Electric Cooperative Association. Mark Perlis, Dickstein Shapiro LLP. Andrea Wolfman, Thelen Reid Brown Raysman & Steiner LLP.

12:45-1:45 Lunch Break.

1:45-3:15 Panel IV: *Enforcement of Reliability Standards.*

David W. Hilt, Vice President and Director of Compliance, North American Electric Reliability Corporation. Louise McCarren, CEO, Western Electricity Coordinating Council. Raymond J. Palmieri, Vice President & Director—Compliance, ReliabilityFirst Corporation. Robert S. (Scott) Henry, Vice President, Electric System Operations, Duke Energy.

3:15-3:30 Closing Remarks by Members of the Commission.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD08-2-000]

Interconnection Queuing Practices; Notice of Technical Conference

November 2, 2007.

Take notice that a staff-led technical conference will be held on Tuesday, December 11, 2007 from approximately 9 a.m. to 4 p.m. (EST) in the Commission Meeting Room of the Federal Energy Regulatory Commission at 888 First Street NE., Washington, DC 20426. Commissioners may attend. An additional notice of this technical conference will be issued at a later date finalizing the agenda.

In 2003, the Commission issued Order No. 2003 to standardize the agreements and procedures related to the interconnection of large generating facilities.¹ The industry has now had

¹ *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003, 18 CFR § 35, FERC Stats. & Regs. ¶ 31,146 (2003), order on reh'g, Order No. 2003-A, FERC Stats. & Regs. ¶ 31,160, order on reh'g, Order No. 2003-B, FERC Stats. & Regs. ¶ 31,171 (2004), order on reh'g, Order No. 2003-C, FERC Stats. & Regs. ¶ 31,190 (2005), *aff'd sub nom. Nat'l Ass'n of Regulatory Util. Comm'rs v. FERC*, 475 F.3d 1277 (D.C. Cir. 2007). See also *Standardization of Small Generator Interconnection Agreements and Procedures*, Order No. 2006, FERC Stats. & Regs. ¶ 31,180, order on reh'g, Order No. 2006-A, FERC Stats. & Regs.

four years of experience with the management of interconnection queues since the issuance of Order No. 2003, during which time a number of queue-related issues have arisen. The Commission understands that a large amount of new generation is planned to be added to the nation's electric system in the near future, including unprecedented levels of renewable generation that may face queue-related challenges in addition to those faced by traditional generation.

Through this conference, Commission staff seeks information as to any queue issues that may have arisen since issuance of Order No. 2003 and solutions that may have been developed or proposed to deal with those queue issues. Staff wishes to explore any existing practices that have proven effective in addressing interconnection queue problems experienced by both traditional and renewable generation.

Commission staff is now soliciting nominations for speakers at the technical conference. Persons wishing to nominate themselves as speakers should do so using the following electronic link: <https://www.ferc.gov/whats-new/registration/inter-queuing-practices-12-11-speaker-form.asp>. Such nominations must be made before the close of business on Friday, November 15, 2007, so that an agenda for the technical conference can be drafted and published. Speakers may propose specific topics that they believe should be addressed at the conference.

Transcripts of the conference will be immediately available from Ace Reporting Company (202-347-3700 or 1-800-336-6646) for a fee. They will be available for the public on the Commission's eLibrary system seven calendar days after FERC receives the transcript.

A free webcast of this event will be available through <http://www.ferc.gov>. Anyone with Internet access who desires to view this event can do so by navigating to www.ferc.gov's Calendar of Events and locating this event in the Calendar. The event will contain a link to its Web cast. The Capitol Connection provides technical support for the free Web casts. It also offers access to this event via television in the DC area and via phone bridge for a fee. If you have any questions, visit <http://www.CapitolConnection.org> or contact

¶ 31,196 (2005), order granting clarification, Order No. 2006-B, FERC Stats. & Regs. ¶ 31,221 (2006), *appeal pending sub nom. Consol. Edison Co. of N.Y., Inc. v. FERC*, Nos. 06-1275, et al. (D.C. Cir. filed July 14, 2006 and later); *Interconnection for Wind Energy*, Order No. 661, FERC Stats. & Regs. ¶ 31,186 (2005), order on reh'g, Order No. 661-A, FERC Stats. & Regs. ¶ 31,198 (2005).