

Any comments should be filed by May 27, 2008, and should be addressed to the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1-A, Washington, DC 20426. Please reference the project name and project number (P-2835) on all comments. Comments may be filed electronically via 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 under the "eFiling" link. For further information, contact Gina Krump at (202) 502-6704.

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

[FR Doc. E8-7956 Filed 4-14-08; 8:45 am]  
BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL05-72-005]

#### Dynegy Midwest Generation, Inc.; Notice of Filing

April 9, 2008.

Take notice that on March 31, 2008, Dynegy Midwest Generation, Inc. tendered for filing a refund report pursuant to Commission's Order issued October 12, 2007.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). 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. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is 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.

*Comment Date:* 5 p.m. Eastern Time on April 21, 2008.

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

[FR Doc. E8-7953 Filed 4-14-08; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM07-9-000]

#### Notice of Inquiry on Adequacy of FERC Financial Forms; Notice Requesting Comments

April 8, 2008.

On February 29, 2008, the Association of Oil Pipe Lines (AOPL) filed Supplemental Post-Workshop Comments (Supplemental Comments) in the above referenced proceeding, in which it proposes certain revisions to FERC Form No. 6, Annual Report of Oil Pipeline Companies. The Commission is noticing AOPL's filing for comment.

In its Supplemental Comments, AOPL proposes that the Commission further define the rate base figure in Line 5 of Page 700 by listing: (1) Net carrier property in service; (2) net AFUDC; (3) working capital; (4) net deferred return; (5) net starting rate base write-up; and (6) ADIT. AOPL also proposes that the Commission raise the annual interstate operating revenue reporting level from \$500,000 to \$1,000,000 and exempt all pipelines below \$1,000,000 from filing the full FERC Form No. 6 (including Page 700).

The Commission encourages electronic submission of comments in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is 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.

*Comment Date:* May 8, 2008.

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

[FR Doc. E8-7918 Filed 4-14-08; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12693-001]

#### Sutton Hydroelectric Company, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, Commencement of Licensing Proceeding, Scoping Meetings, Solicitation of Comments on the Pad and Scoping Document, and Identification of Issues and Associated Study Requests

April 7, 2008.

a. *Type of Filing:* Notice of Intent to File License Application for an Original License and Commencing Licensing Proceeding.

b. *Project No.:* 12693-001.

c. *Date Filed:* February 6, 2008.

d. *Submitted By:* Sutton Hydroelectric Company, LLC.

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

f. *Location:* On the Elk River, in Braxton County, West Virginia. The project would occupy federal lands administered by the U.S. Army Corps of Engineers.

g. *Filed Pursuant to:* 18 CFR Part 5 of the Commission's Regulations.

h. *Potential Applicant Contact:* Ken Kemp, Project Manager, Sutton Hydroelectric Company LLC, Brookfield Power, 225 Greenfield Parkway, Suite 201, Liverpool, New York 13088, (315) 413-2769.

i. *FERC Contact:* Timothy Konnert, [timothy.konnert@ferc.gov](mailto:timothy.konnert@ferc.gov), (202) 502-6359.

j. We are asking Federal, State, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing comments described in paragraph o., below. Cooperating agencies should

note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See*, 94 FERC ¶ 61,076 (2001).

k. *With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402; and (b) the State Historic Preservation Officer, as required by section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Sutton Hydroelectric Company, LLC as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historical Preservation Act.

m. Sutton Hydroelectric Company, LLC filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations. The Commission issued the Scoping Document for the proposed Sutton Project on April 7, 2008.

n. A copy of the PAD and the scoping document are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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 paragraph h.

Register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. With this notice, we are setting the effective date for the commencement of the licensing proceeding as April 7, 2008, and soliciting comments on the PAD and the scoping document, as well as study requests. All comments on the PAD and the scoping document, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and the scoping document, study requests, requests for cooperating agency status, and all communications to and from

Commission staff related to the merits of the potential application (original and eight copies) must be filed with the Commission at the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. All filings with the Commission must include on the first page, the project name (Sutton Project) and number (P-12693-001), and bear the heading "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or the scoping document, and any agency requesting cooperating status must do so by June 5, 2008.

Comments on the PAD and the scoping document, study requests, requests for cooperating agency status, and other permissible forms of communications with the Commission 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 "efiling" link.

p. Although our current intent is to prepare an environmental assessment (EA), there is the possibility that an Environmental Impact Statement (EIS) will be required. Nevertheless, this meeting will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

#### Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the project at the time and place noted below. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:<sup>1</sup>

<sup>1</sup> Pursuant to § 5.8(b)(3)(VIII) of the Commission's regulations, the scoping meeting and site visit is to be held within 30 days of this notice. However, due to facility unavailability, the scoping meetings have been rescheduled for one week later. To the extent necessary, therefore, § 5.8(b)(3)(VIII) is being waived. The updated process plan in the Commission's scoping document has been modified accordingly.

#### Evening Scoping Meeting

*Date and Time:* Monday, May 12, 2008, 6 p.m. (EST),

*Location:* Days Hotel Flatwoods, 2000 Sutton Lane, Sutton, WV 26601. (304) 765-5055.

#### Daytime Scoping Meeting

*Date and Time:* Tuesday, May 13, 2008, 10 a.m. (EST).

*Location:* Same location.

Sutton Hydroelectric Company, LLC will also host a site visit at the project on May 12, 2008, at 2 p.m. to describe the proposed project. Those wishing to participate will meet at the upstream recreation parking lot next to the dam.

The scoping document, which outlines the issues to be addressed in the environmental document, has been mailed to the individuals and entities on the Commission's mailing list. Copies of the scoping document will be available at the scoping meetings, and may be viewed on the Web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph n. Depending on the extent of comments received, a revised Scoping Document may or may not be issued.

#### Scoping Meeting Objectives

At the scoping meetings, staff will: (1) Present the proposed list of issues to be addressed in the EA; (2) review and discuss existing conditions and resource agency management objectives; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss requests by any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and the scoping document are included in item n of this document.

#### 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. E8-7914 Filed 4-14-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PF08-2-000]

#### MarkWest Pioneer, LLC; Supplemental Notice of Intent To Prepare an Environmental Assessment for the Proposed Arkoma Connector Pipeline Project and Request for Comments on Environmental Issues

April 9, 2008.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Arkoma Connector Pipeline Project (Project) which involves the construction and operation of natural gas pipeline facilities in Coal, Atoka, and Bryan Counties, Oklahoma, proposed by MarkWest Pioneer, LLC (MarkWest).

On January 18, 2008 the FERC issued a "Notice of Intent to Prepare an Environmental Assessment for the Proposed Arkoma Connector Pipeline Project and Request for Comments on Environmental Issues" (NOI). The NOI was published in the **Federal Register** and was also mailed to interested parties, including federal, state and local officials, agency representatives, Native American groups; local libraries and newspapers; and property owners affected by the proposed facilities. This Supplemental Notice of Intent (NOI) discloses that on March 21, 2008, Markwest filed draft Resource Reports that identified the addition of various facilities to the Project, including a new compressor station, and substantially modified the proposed pipeline route at various locations. This NOI is being issued because the facility additions and proposed pipeline modifications were not identified in the original NOI, and landowners potentially affected by those facilities were therefore not included on the environmental mailing list for that correspondence. Please note that the scoping period for this NOI will close on May 12, 2008.

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. MarkWest 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, MarkWest could initiate condemnation proceedings in accordance with State law.

This notice is being sent to previously unidentified affected landowners; federal, state, and local government representatives and agencies; elected officials; Native American tribes; other interested parties; and local libraries and newspapers. State and local government representatives are asked to notify their constituents of this proposed project and to encourage them to comment on their areas of concern.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" 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 ([www.ferc.gov](http://www.ferc.gov)).

#### Summary of the Proposed Project

MarkWest seeks authorization to construct new pipeline facilities in Coal, Atoka, and Bryan Counties, Oklahoma. As originally defined, the Arkoma Connector Pipeline Project would have consisted of about 50 miles of 24-inch-diameter pipeline, the 10,000-horsepower (hp) Arkoma Connector Compressor Station and associated facilities at milepost (MP) 0.0, and two meter stations. The pipeline project would have been designed to deliver a peak day capacity of 300,000 to 350,000 decatherms (Dth) of natural gas from producers in the Arkoma Basin area of southeastern Oklahoma to the Midcontinent Express Pipeline (MEP) that is currently proposed under Docket No. CP08-6-000.

##### *This notice:*

- Updates the name of the compressor station at MP 0.0 to the Origin Compressor Station, and its compression capacity of the from 10,000-hp to 14,200-hp;
- Identifies the addition of the 5,300-hp Mid-Line Compressor Station at MP 24.2 as the preferred site (with two alternative sites at MP 22.4 and MP 27.3;
- Identifies an increase in peak day deliverability to 625,000 Dth;
- Identifies Gulf Crossing Pipeline that is currently proposed under Docket

No. CP07-398-000 as a second delivery point in addition to MEP;

- Reduces the number of interconnect meter stations from two to one;
- Identifies two contractor/pipe yards at MP 0.0 and MP 38.0; and
- Identifies several pipeline route modifications, primarily in the vicinity of MPs 9.0, 13.9 to 18.0, 23.2 to 26.5, 27.2 to 30.0, and 33.0.

The locations of the facility additions and pipeline route modifications are shown in Appendix 1.<sup>1</sup>

#### Land Requirements for Construction

Construction of the proposed project would affect a total of about 632 acres. Following construction, about 319 acres would be allowed to revert to its previous conditions. Disturbance associated with aboveground facilities would impact about 16 acres of land. The two compressor stations would each require about 8 and 7 acres, respectively, and the interconnect meter station would require about 1 acre of disturbance during and after construction. MarkWest would seek a 90-foot-wide construction right-of-way for the pipeline, and would maintain a 50-foot-wide permanent right-of-way for operation of the pipeline.

#### The EA Process

We<sup>2</sup> are preparing this EA to comply with the National Environmental Policy Act (NEPA) which requires the Commission to take into account the environmental impact that could result if it authorizes MarkWest's proposal. With this notice, we are also asking federal, state, and local agencies with jurisdiction and/or special expertise with respect to environmental issues to formally cooperate with us in the preparation of the EA. Agencies that would like to request cooperating status should follow the instructions for filing comments provided below.

NEPA also requires the FERC 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

<sup>1</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of all appendices 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. Requests for detailed maps of the proposed facilities should be made directly to MarkWest.

<sup>2</sup> "We," "us," and "our" refer to the environmental staff of the FERC's Office of Energy Projects.