

call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Nathaniel J. Davis, Sr.,**  
Deputy Secretary.

[FR Doc. E8-7961 Filed 4-14-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. DI08-5-000]

#### Loyalhanna Watershed Association, Inc.; Notice of Declaration of Intention and Soliciting Comments, Protests, and/or Motions To Intervene

April 8, 2008.

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.*: DI08-5-000.
- c. *Date Filed*: April 1, 2008.
- d. *Applicant*: Loyalhanna Watershed Association, Inc.
- e. *Name of Project*: Saxman Run Mine Drainage Treatment and Hydroelectric Project.
- f. *Location*: The proposed Saxman Run Drainage Treatment and Hydroelectric Project (Saxman) will be located on Saxman Run near the town of Latrobe, Unity Township, Westmoreland County, Pennsylvania.
- g. *Filed Pursuant to*: Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b).
- h. *Applicant Contact*: Susan L. Huba, Program Manager, Loyalhanna Watershed Association, 110 Andi Lane, Ligonier, PA 15658; telephone: (724) 238-7560; fax: (724) 238-7681; e-mail: [slhuba@verizon.net](mailto:slhuba@verizon.net).

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*: May 09, 2008. 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. Comments, protests, and/or 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."

Please include the docket number (DI08-5-000) on any comments, protests, and/or motions filed.

k. *Description of Project*: The proposed Saxman project will include: (1) An intake manifold at three free-flowing pipes discharging abandoned mine drainage; (2) a 2,200-foot-long, 14-inch-diameter transmission pipe, conveying water from the intake manifold to the Latrobe Municipal Authority Wastewater Treatment Plant (LMAWTP); (3) a proposed concrete foundation and simple enclosure containing a 10-kW turbine/generator, located at the LMAWTP; (4) a stone-and-grass-lined tailrace to Saxman Run; and (5) appurtenant facilities. The proposed 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 No." 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. E8-7927 Filed 4-14-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2835-026-NY]

#### New York State Electric and Gas Corporation; Notice of Availability of Environmental Assessment

April 9, 2008.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR Part 380 (Order No. 486, 52 FR 47879), the Office of Energy Projects has reviewed the proposed Whitewater Access Plan for the Rainbow Falls Project, located on the Ausable River in the Clinton and Essex Counties, New York, and has prepared an Environmental Assessment (EA).

A copy of the EA is on file with the Commission and is available for public inspection. The EA may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-2835) 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.