

Revised Volume 1, to be effective 3/13/09.

*Filed Date:* 02/10/2009.

*Accession Number:* 20090211-0074.

*Comment Date:* 5 p.m. Eastern Time on Monday, February 23, 2009.

*Docket Numbers:* RP09-357-000.

*Applicants:* Venice Gathering System, L.L.C.,

*Description:* Venice Gathering System, LLC submits Second Revised Sheet 117 *et al.* to FERC Gas Tariff, Original Volume 1, to be effective 3/1/09.

*Filed Date:* 02/11/2009.

*Accession Number:* 20090212-0054.

*Comment Date:* 5 p.m. Eastern Time on Monday, February 23, 2009.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. E9-3463 Filed 2-18-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP08-06-002]

#### Midcontinent Express Pipeline LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed MEP Amendment Project and Request for Comments on Environmental Issues

February 11, 2009.

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 MEP Amendment Project (MEP Amendment) involving construction and operation of facilities by Midcontinent Express Pipeline LLC (MEP) in Cass County, Texas, and Hinds County, Mississippi.<sup>1</sup> This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process we will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine which issues need to be evaluated in the EA. Please note that the scoping period will close on March 13, 2009.

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

<sup>1</sup> On December 30, 2008, MEP filed its amended application with the Commission under section 7 of the Natural Gas Act and Part 157 of the Commission's regulations. The Commission issued its Notice of Amendment on January 12, 2009.

If you are a landowner receiving this notice, you may be contacted by a MEP representative about survey permission and/or the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company 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, the natural gas company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC Web site (<http://www.ferc.gov>). This fact sheet 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 (<http://www.ferc.gov>).

#### Summary of the Proposed Project

MEP proposes an expansion and equipment modifications at the previously certificated Atlanta Compressor Station in Cass County, Texas, and relocation of the previously certificated Vicksburg Compressor Station to Hinds County, Mississippi. MEP is proposing to:

- Substitute two G16 compressor units for the two previously certificated G12 compressor units at Atlanta Compressor Station;

- Increase the land parcel size at the Atlanta Compressor Station from 30.0 acres to 36.7 acres to encompass an adjacent block valve that was certificated under Docket CP08-06-000 for the MEP pipeline; and

- Relocate the previously certificated Vicksburg Compressor Station approximately 3.5 miles to the east from Warren County, Mississippi to Hinds County, Mississippi. The relocation would involve acquiring a new 74.8 acre land parcel. No equipment changes are proposed at the Vicksburg Compressor Station.

The specific location of the project facilities is shown in Appendix 1.<sup>2</sup>

<sup>2</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.

If approved, MEP proposes to commence construction of the proposed facilities in September 2009.

#### Land Requirements for Construction

The area that would be temporarily affected by construction of the Atlanta Compressor Station would increase over the previously certificated Project by 10.0 acres to a total of approximately 22.0 acres. The area that would be permanently affected by operation of the Atlanta Compressor Station would increase by 1.4 acres to a total of approximately 13.1 acres.

Construction of the Vicksburg Compressor Station would temporarily impact approximately 31.8 acres. Permanent land requirements for operation of the Vicksburg Compressor Station would impact about approximately 20.7 acres.

MEP is proposing to locate the compressor stations adjacent to existing roadways. MEP is proposing to construct access roads between the existing roadways and each area where the compressor station construction activity would occur. MEP would retain a permanent access road for each site after construction is complete.

#### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us 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 Notice of Intent, the Commission staff requests public comments on the scope of the issues to address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

In the EA we<sup>3</sup> will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils
- Land use
- Water resources, fisheries, and wetlands

- Cultural resources
- Vegetation and wildlife
- Air quality and noise
- Endangered and threatened species
- Public safety<sup>9</sup>

We will also evaluate possible alternatives to the proposed project or portions of the proposed project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission. To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

With this NOI, we are 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. These agencies may choose to participate once they have evaluated the proposal relative to their responsibilities. Additional agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this NOI.

#### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by MEP. This preliminary list of issues may be changed based on your comments and our analysis.

- Disturbance caused by project construction may contribute to water and wind erosion of soils.
- Disturbance caused by the project may cause temporary and permanent alteration of wildlife habitat.
- Potential impacts on air quality and potential noise emissions may occur.

#### Public Participation

You can make a difference by providing us with your specific comments or concerns about the MEP Amendment Project. Your comments should focus on the potential

environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send in your comments so that they will be received in Washington, DC on or before March 13, 2009.

For your convenience, there are three methods in which you can use to submit your comments to the Commission. In all instances please reference the project docket number (CP08-06-002) with your submission. The Commission encourages electronic filing of comments and has dedicated eFiling expert staff available to assist you at 202-502-8258 or [efiling@ferc.gov](mailto:efiling@ferc.gov).

(1) You may file your comments electronically by using the Quick Comment feature, which is located on the Commission's internet Web site at <http://www.ferc.gov> under the link to Documents and Filings. A Quick Comment is an easy method for interested persons to submit text-only comments on a project;

(2) You may file your comments electronically by using the eFiling feature, which is located on the Commission's internet Web site at <http://www.ferc.gov> under the link to Documents and Filings. eFiling involves preparing your submission in the same manner as you would if filing on paper, and then saving the file on your computer's hard drive. You will attach that file as your submission. New eFiling users must first create an account by clicking on "Sign up" or "eRegister." You will be asked to select the type of filing you are making. A comment on a particular project is considered a "Comment on a Filing;" or

(3) You may file your comments via mail to the Commission by sending an original and two copies of your letter to:

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426.

Label one copy of the comments for the attention of Gas Branch 3, PJ11.3.

#### Environmental Mailing List

An effort is being made to send this notice to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project. This includes all landowners who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within distances defined in the Commission's regulations of certain aboveground facilities.

<sup>3</sup> "We", "us", and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

If you do not want to send comments at this time but still want to remain on our mailing list, please return the Information Request (Appendix 2). If you do not return the Information Request, you will be taken off the mailing list.

#### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an "intervenor," which is an official party to the proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in a Commission proceeding by filing a request to intervene. Instructions for becoming an intervenor are included in the User's Guide under the "e-filing" link on the Commission's Web site.

#### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, public meetings or site visits, if applicable, will be posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-3449 Filed 2-18-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP04-36-005]

#### Weaver's Cove Energy, LLC; Notice of Filing

February 11, 2009.

Take notice that on January 30, 2009, Weaver's Cove Energy, LLC (Weaver's Cove) filed an application, pursuant to Section 3 of the Natural Gas Act (NGA) and Parts 153 and 380 of the Commission's Rules and Regulations, to amend its certificate issued on July 15, 2005 in Docket No. CP04-36-000. Weaver's Cove requests authority to site, construct, and operate an offshore berth for receiving and unloading LNG for the approved LNG terminal, in Mount Hope Bay in Massachusetts waters. The application is on file with the Commission and open for public inspection. This filing 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, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Weaver's Cove proposes to construct, and operate: (1) An offshore berth for receiving and unloading LNG tankers in Mount Hope Bay in Massachusetts waters, (2) an LNG transfer system with buried submarine LNG transfer lines incorporating insulated "pipe-in-pipe" technology (PiP) to transfer LNG from the offshore berth to the LNG storage tank at the certificated terminal in Fall River, Massachusetts, and (3) associated minor piping and equipment changes at the terminal to accommodate the PiP transfer system. The proposed offshore berth is located approximately four miles from the certificated LNG terminal. The proposed location is approximately one mile from the nearest shoreline and two miles south of the Braga Bridge. Weaver's Cove proposes to begin construction in June 2011 and meet an in-service date in December 2014.

Any questions regarding the application are to be directed to Marcia MacClary, Weaver's Cove Energy, LLC, One New Street, Fall River, MA 02720, (508) 675-9470, or Bruce Kiely, Baker Botts L.L.P., 1299 Pennsylvania Ave., NW., Washington, DC 20004, (202) 639-7711.

On April 29, 2008, the Commission staff granted Weaver's Cove's request to use the National Environmental Policy Act (NEPA) Pre-Filing Process and assigned Docket No. PF08-18-000 to staff activities involving the offshore berth project. Now, as of the filing of this application on January 30, 2009, the NEPA Pre-Filing Process for this project has ended. From this time forward, this proceeding will be conducted in Docket No. CP04-36-005, as noted in the caption of this Notice.

Any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the below listed comment date, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

Persons may also wish to comment further only on the environmental review of this project. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of environmental documents issued by the Commission, and will be notified of meetings associated with the Commission's environmental review process. Those persons, organizations, and agencies who submitted comments during the NEPA Pre-Filing Process in Docket No. PF08-18-000 are already on the Commission staff's environmental mailing list for the proceeding in the above dockets and may file additional comments on or before the below listed comment date. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, environmental commenters are also not parties to the proceeding and will not receive copies of all documents filed by other parties or non-environmental documents issued by the Commission. Further, they will not have the right to seek court review of any final order by Commission in this proceeding.

Motions to intervene, protests and comments may be filed electronically