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Any comments should be filed within 15 days from the issuance date of this notice, and should be addressed to the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1-A, Washington, DC 20426. Please affix "Potter Valley Hydroelectric Project No. 77-212" to all comments. Comments 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 under the "eFiling" link).

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

[FR Doc. E9-5252 Filed 3-10-09; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 2165-022]

**Alabama Power Company; Notice of Availability of Final Environmental Assessment**

March 2, 2009.

In accordance with the National Environmental Policy Act of 1969 and

the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Energy Projects has reviewed the application for a New Major License for the Warrior River Hydroelectric Project, which includes the Lewis Smith and Bankhead developments.

The Lewis Smith development is located in north central Alabama in the headwaters of the Black Warrior River on the Sipsey Fork in Cullman, Walker, and Winston Counties. The Bankhead development is located in west central Alabama downstream of the Lewis Smith development, on the Black Warrior River in Tuscaloosa County. The Lewis Smith development occupies 2,691.44 acres of Federal lands administered by the U.S. Forest Service, and the Bankhead development occupies 18.7 acres of Federal lands administered by the Bureau of Land Management. Staff has prepared a final Environmental Assessment (EA) for the project.

The final EA contains staff's analysis of the potential environmental effects of the project and concludes that relicensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

A copy of the final EA 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, 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. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

For further information, please contact Janet Hutzel at (202) 502-8675 or at [janet.hutzel@ferc.gov](mailto:janet.hutzel@ferc.gov).

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

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[EL07-86-008; EL07-88-008; EL07-92-008]

**Notice of Filing**

March 2, 2009.

<i>Ameren Services Company and Indiana Public Service Company v. Midwest Independent System Operator, Inc</i> .....	EL07-86-008
<i>Great Lakes Utilities. v. Midwest Independent System Operator, Inc</i> .....	EL07-88-008
<i>Wabash Valley Power Association, Inc. v. Midwest Independent System Operator, Inc.</i> .....	EL07-92-008

Take notice that on February 23, 2009, the Midwest Independent System Operator, Inc. (Midwest ISO) submitted proposed revisions to the Midwest ISO Open Access Transmission, Energy and Operating Reserve Markets Tariff, pursuant to the Commission's November 10, 2008 Order, *Midwest Indep. Trans Sys. Operator, Inc.*, 125 FERC § 61,161 (2008) (November 10 Order).

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 March 16, 2009.

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

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**Notice of Filing**

March 2, 2009.