

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 soliciting comments on the PAD and Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph (h). In addition, all comments on the PAD and SD1, 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 (Merced Falls Hydroelectric Project) and number (P-2467-019), and bear the heading "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "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 SD1, and any agency requesting cooperating status must do so by June 23, 2009.

Comments on the PAD and SD1, 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/docs-filing/ferconline.asp>) under the "e-filing" link. For a simpler method of submitting text only comments, click on "Quick Comment."

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.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-10107 Filed 5-1-09; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. NJ09-3-000]

Big Rivers Electric Corporation; Notice of Filing

April 27, 2009.

Take notice that on April 22, 2009, Big Rivers Electric Corporation filed a Petition for Declaratory Order revising its "safe harbor" Open Access Transmission Tariff in compliance with the Commission's Order Nos. 890-A, 890-B and 890-C, pursuant to section 35.28(e) of the Federal Energy Commission's regulations, 18 CFR 35.8(e) (2208), and Rule 207 of the Commission's Rules of Practice and Procedure, 18 CFR 385.207(a)(2) (2008).

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. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

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

Comment Date: 5 p.m. Eastern Time on May 22, 2009.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-10122 Filed 5-1-09; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL08-49-001]

BJ Energy LLC, Franklin Power LLC, GLE Trading LLC, Ocean Power LLC, Pillar Fund LLC v. PJM Interconnection, LLC; Notice Requiring Protective Order

April 24, 2009.

Take notice on April 15, 2009, PJM Interconnection, LLC (PJM) filed a motion requesting the Commission authorize the public release of currently non-public documents of BJ Energy, *et al.* that PJM filed as part of an answer and request for rehearing in this docket.¹ PJM represented that these documents are covered by a protective order issued by the United States District Court for the Eastern District of Pennsylvania.² PJM attached a copy of the District Court's March 26, 2009 order which provided that "[t]he court's Protective Order does not prohibit FERC from issuing an order declassifying documents submitted to this court under seal."³ On April 23, 2009, the BJ Energy, *et al.* filed an answer, requesting that the Commission deny PJM's motion and maintain the confidentiality of this information.

Pursuant to Rule 213(c)(5) of the Commission's regulations, 18 CFR 385.213 (c)(5), PJM is required to provide such documents to those parties whose interventions were accepted in the April 2, 2009 order⁴ that request the documents and sign a protective order no less stringent than the one already approved by the District Court.

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

¹ The request related to: (1) PJM's answer to Tower Companies supplemental answer and amendment of PJM's answer to the complaint filed in this proceeding on March 4, 2009; and (2) PJM's April 15, 2009 filing for clarification and rehearing in this proceeding.

² *BJ Energy LLC, et al. v. PJM Interconnection, LLC* Protective Order, C.A. No. 08-cv-03649-NS (Jan. 7, 2009).

³ *BJ Energy LLC, et al. v. PJM Interconnection, LLC* Protective Order, C.A. No. 2:08-cv-03649-NS (March 26, 2009).

⁴ *BJ Energy LLC v. PJM Interconnection, LLC*, 127 FERC ¶ 61,006 (2009).