

specifically identified in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen at (907) 271-2809 at least 7 working days prior to the meeting date.

Dated: May 13, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E9-11473 Filed 5-15-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 405-087]

#### **Exelon Generation Company, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, Commencement of Licensing Proceeding, and Scoping; Request for Comments on the PAD and Scoping Document, and Identification of Issues and Associated Study Requests**

May 11, 2009.

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

b. *Project No.:* 405-087.

c. *Date Filed:* March 12, 2009.

d. *Submitted by:* Exelon Generation Company, LLC.

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

f. *Location:* On the Susquehanna River, in Harford and Cecil Counties, Maryland and Lancaster and York Counties, Pennsylvania. The project does not occupy any federal lands.

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

h. *Potential Applicant Contact:* Colleen Hicks, Manager, Regulatory and Licensing, Hydro, Exelon Power, 300 Exelon Way, Kennett Square, PA 19348, at (610) 765-6791 or e-mail at [Colleen.Hicks@exeloncorp.com](mailto:Colleen.Hicks@exeloncorp.com) and A. Karen Hill, Vice President, Federal Regulatory Affairs, Exelon Corporation, 101 Constitution Avenue, Suite 400E,

Washington, DC 20001, at (202) 347-8092 or e-mail at [Karen.Hill@exeloncorp.com](mailto:Karen.Hill@exeloncorp.com).

i. *FERC Contact:* John Smith at (202) 502-8972 or e-mail at [john.smith@ferc.gov](mailto:john.smith@ferc.gov).

j. *Cooperating agencies:* Federal, State, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item 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 Exelon Generation 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 Historic Preservation Act.

m. Exelon Generation 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.

n. A copy of the PAD is 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/docs-filing/esubscription.asp> 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 issued May 11, 2009, as well as study requests. All comments on the PAD and Scoping Document, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and 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 (Conowingo Hydroelectric Project) and number (P-405-087), 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 Scoping Document, and any agency requesting cooperating status must do so by July 10, 2009.

Comments on the PAD and 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/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.

### 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:

#### Evening Scoping Meeting

*Date:* Thursday June 11, 2009.

*Time:* 7 p.m.

*Location:* Darlington Fire Station, 2600 Castleton Road, Darlington, Maryland.

*Phone:* Barbara Evans at (410) 638-3762.

#### Daytime Scoping Meeting

(Joint meeting with Muddy Run Pumped Storage Project [Project No. 2355-011])

*Date:* Friday June 12, 2009.

*Time:* 10 a.m.

*Location:* Darlington Fire Station, 2600 Castleton Road, Darlington, Maryland.

*Phone:* Barbara Evans at (410) 638-3762.

The Scoping Document, which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list. Copies of the Scoping Document will be available at the scoping meetings, or may be viewed on the Web at <http://www.ferc.gov>, using the eLibrary link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a revised Scoping Document may be issued which may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

#### Site Visit

The potential applicant and Commission staff will conduct a site visit of the project on Thursday June 11, 2009, starting at 9 a.m. All participants should meet at the Conowingo Visitor's Center at 4948 Conowingo Road, Darlington, Maryland 21034. Transportation will be provided by Exelon Generation Company, LLC or participants may use their own transportation. Anyone needing transportation or with questions about the site visit should contact Ms. Colleen Hicks at Exelon Generation Company, LLC at (610) 765-6791 on or before June 3, 2009.

#### Meeting Objectives

At the scoping meetings, staff will: (1) Initiate scoping of the issues; (2) review and discuss existing conditions and resource 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 the appropriateness of 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 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. E9-11461 Filed 5-15-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2355-011]

#### Exelon Generation Company, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, Commencement of Licensing Proceeding, and Scoping; Request for Comments on the Pad and Scoping Document, and Identification of Issues and Associated Study Requests

May 11, 2009.

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

b. *Project No.:* 2355-011.

c. *Dated Filed:* March 12, 2009.

d. *Submitted By:* Exelon Generation Company, LLC.

e. *Name of Project:* Muddy Run Pumped Storage Project.

f. *Location:* On Muddy Run, a tributary to the Susquehanna River, in Lancaster and York Counties, Pennsylvania. The project does not occupy any Federal lands.

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

h. *Potential Applicant Contact:* Colleen Hicks, Manager, Regulatory and Licensing, Hydro, Exelon Power, 300

Exelon Way, Kennett Square, PA 19348, at (610) 765-6791 or e-mail at [Colleen.Hicks@exeloncorp.com](mailto:Colleen.Hicks@exeloncorp.com) and A. Karen Hill, Vice President, Federal Regulatory Affairs, Exelon Corporation, 101 Constitution Avenue, Suite 400E, Washington, DC 20001, at (202)347-8092 or e-mail at [Karen.Hill@exeloncorp.com](mailto:Karen.Hill@exeloncorp.com).

i. *FERC Contact:* John Smith at (202) 502-8972 or e-mail at [john.smith@ferc.gov](mailto:john.smith@ferc.gov).

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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.

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Register online at <http://www.ferc.gov/docs-filing/>