

q. Comments, protests and 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.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13466-000]

#### City of Gresham, OR; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

June 9, 2009.

On May 15, 2009, the City of Gresham (permittee) filed an application for a three-year preliminary permit under Section 4(f) of the Federal Power Act (FPA)<sup>1</sup> to study the feasibility of the proposed 50-kilowatt (kW) City of Gresham Wastewater Treatment Plant Outfall Hydroelectric Project No. 13466. The project would be located in Multnomah County, Oregon. The existing City of Gresham Wastewater Treatment Plant (plant) and outfall is owned by the permittee. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

Under current operating conditions, treated wastewater (effluent) from the plant is discharged into three parallel outfall pipes. These three pipes combine into a single pipeline before discharging the effluent into the Columbia River. Under the permittee's proposal, effluent in one of the existing three parallel pipes would flow into a powerhouse to generate electricity before returning to the existing pipeline system. The project would consist of: (1) An existing 3,650-foot-long, 4-foot-diameter outfall pipe directing effluent from the plant to the powerhouse and from the powerhouse to the final outfall pipe; (2) a new 12-foot-high, 16-foot-long concrete

powerhouse; (3) a new single turbine/generator unit with an installed capacity of 50 kW; (4) a new 10-foot-long, 10-foot-wide concrete building to house additional controls and equipment; (5) an existing 650-foot-long, 4.5-foot-diameter outfall pipe discharging flows into the Columbia River; (6) a new 100-foot-long, 12.47-kilovolt transmission line extending from the powerhouse to a proposed intertie with a Portland General Electric power line; and (7) appurtenant facilities. The plant and portions of the outfall that are not directly affected by the project are not included as project features. The proposed project would generate about 413 megawatt-hours annually.

*Applicant Contact:* Michael Nacrelli, Department of Environmental Services, City of Gresham, Oregon, 1333 NW. Eastman Parkway, Gresham, OR 97030; phone: (503) 661-3000.

*FERC Contact:* Jennifer Harper, (202) 502-6136.

*Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications:* 60 days from the issuance of this notice.

Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link located at <http://www.ferc.gov/docs-filing/efiling.asp>. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13466) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-14028 Filed 6-12-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP06-446-003]

#### Gulf South Pipeline Company, LP; Notice of Application

June 8, 2009.

Take notice that on May 26, 2009, Gulf South Pipeline Company, LP (Gulf South), filed with the Federal Energy Regulatory Commission (Commission) an application under section 7(c) of the Natural Gas Act (NGA) seeking authorization to amend its existing certificate to reduce to the maximum certificated capacity on the East Texas to Mississippi Expansion Project facilities to reflect refined flow characteristics after a year of operational experience, all as more fully described in the application.

This filing may be also viewed on the Web 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, call (866) 208-3676 or TTY, (202) 502-8659.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify Federal and State agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all Federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Any questions regarding this application should be directed to: J. Kyle Stephens, Vice President of Regulatory Affairs, Boardwalk Pipeline Partners, LP, 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, at 713-479-8033 or fax at 713-479-1846. There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, before the comment date of this notice,

<sup>1</sup> 16 U.S.C. 797(f). Three years is the maximum term for a preliminary permit. See FPA Section 5, 16 U.S.C. 798.

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.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Comments, protests and 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 under the "e-Filing" link.

*Comment Date:* June 29, 2009.

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

[FR Doc. E9-13965 Filed 6-12-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 349-164]

#### Alabama Power Company of Elmore County, AL; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

June 8, 2009.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Project Use of Public Lands and Waters.

b. *Project No:* 349-164.

c. *Date Filed:* May 20, 2009.

d. *Applicant:* Alabama Power Company.

e. *Name of Project:* Martin Dam Project.

f. *Location:* Lake Martin, Elmore County, Alabama.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Mr. Ryan Robinson, Special Projects Manager, Russell Lands, Inc., 2544 Willow Point Road, Alexander City, Alabama 35010, (256) 496-2188.

i. *FERC Contact:* Jaime Blakesley, Telephone 312-596-4441, and e-mail: [jaimе.blakesley@ferc.gov](mailto:jaimе.blakesley@ferc.gov).

j. *Deadline for filing comments, motions to intervene, and protest:* July 8, 2009.

All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request:* Alabama Power Company requests permission to allow specific additions and modifications to Ridge Marina, an existing commercial marina located on Lake Martin and leased to Russell Lands, Inc. The proposed facilities and modifications include: 28 additional boat slips at existing courtesy docks, 4 floating boat slips at the existing fuel dock, 64 floating PWC docking locations along an existing boathouse walkway, 1 additional forklift launch/ramp, and 3 new breakwater sections totaling 750 linear feet. None of the proposed facilities require excavation or fill work. The licensee consulted with the U.S. Fish and Wildlife Service, and appropriate state and local agencies on the proposal.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room,

located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also 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. 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, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

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. Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers.

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.

q. Comments, protests and 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.

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

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