

On August 25, 2008, DOE initiated the environmental review process by publishing a Notice of Intent in the **Federal Register** ("Notice of Intent to Prepare an Environmental Impact Statement and Notice of Wetlands Involvement for the Abengoa Biorefinery Project Near Hugoton, KS," 73 FR 50001). However, based on changes in the scope of the project proposed by ABBK and also ABBK's decision to solicit loan guarantees from DOE's Loan Guarantee Program pursuant to Title XVII of EPA Act 2005 and from USDA-RD Biorefinery Assistance Program, DOE published an Amended Notice of Intent in the **Federal Register** on April 29, 2009 ("Amended Notice of Intent To Modify the Scope of the Environmental Impact Statement for the Abengoa Biorefinery Project Near Hugoton, KS", 74 FR 19543). Public comments were accepted on the original scope of the EIS from August 25 through October 9, 2008, and then on the revised scope from April 29 through May 29, 2009. An initial public scoping meeting was held in Hugoton, KS on September 10, 2008, and an additional public scoping meeting was held on May 19, 2009 to address the revised scope. DOE received both oral and written scoping comments. DOE identified 16 scoping comments and grouped them into three categories reflecting the nature of the individual comments: (1) Support for the project, (2) requests for specific information or analyses and (3) statements of no negative environmental impacts. All requests for specific information are addressed in the Draft EIS.

Proposed Action: DOE's Proposed Action analyzed in the Draft EIS is to provide Federal funding to support the design, construction, and start up of the integrated biorefinery proposed by ABBK. DOE would negotiate an agreement with ABBK to provide approximately \$85 million (2008 dollars) for the final design, construction and start up of the biorefinery. The estimated total project cost is approximately \$300 million (2008 dollars). At this time, DOE is not considering issuing a loan guarantee for the proposed project. The Abengoa Biorefinery facility would use lignocellulosic biomass (biomass) as feedstock to produce biofuels. Biomass such as corn stover, wheat straw, milo stubble, switchgrass, and other available materials would be harvested as feedstock and fermented to produce ethanol. The biorefinery would also produce electricity.

Under the Proposed Action, the Abengoa Biorefinery would process approximately 2,300 dry metric tons per

day of feedstock, which would be obtained from producers within 50 miles of the Abengoa Biorefinery Project site. The biorefinery would produce up to 18 million gallons of denatured ethanol per year using a one-step feedstock hydrolysis and fermentation process. The biorefinery also would produce 92 megawatts of electricity, and 117,000 dry short tons per year of lignin-rich stillage cake. Electricity would be produced via a high-pressure, steam-condensing turbine generator. Seventy megawatts of electricity would be sold commercially. The lignin-rich stillage cake could be sold to a lignin producer, processed and lignin-poor stillage cake would be returned to the biorefinery and burned in the solid fuel boiler.

Action Alternative: For the Action Alternative, DOE would provide Federal funding for an integrated biorefinery that would produce approximately 12 million gallons per year of denatured ethanol, 45,000 dry short tons per year of lignin-rich stillage cake, and 20 megawatts of electricity for use at the facility (none sold commercially).

Under the Action Alternative, the integrated biorefinery would use a two-stage process to pretreat, hydrolyze and ferment sugars for ethanol production, and would produce syngas using a gasification system. A syngas boiler as well as the biomass boilers would produce steam. Steam would be used for ethanol production processes and electricity production. The biomass boilers and the turbines would be used to generate electricity solely to operate the plant (no electricity would be sold commercially) and would be smaller than those for the Proposed Action.

No Action Alternative: Under the No Action Alternative, DOE would not provide Federal funding to ABBK to support the final design, construction, and start-up of the Abengoa Biorefinery Project. Under the No Action Alternative, the Draft EIS presumes that ABBK would not build a biorefinery. The Department recognizes, however, that ABBK could pursue alternative sources of capital for development of the biorefinery.

Preferred Alternative: The Proposed Action is DOE's Preferred Alternative.

Following the end of the public comment period, November 9, 2009, DOE will consider and respond to the comments received, and issue the Final Abengoa Biorefinery EIS. DOE will issue a Record of Decision no sooner than 30 days after the U.S. Environmental Protection Agency issues a Notice of Availability of the Final EIS in the **Federal Register**.

Issued in Golden, CO on September 15, 2009.

Steve Blazek,

NEPA Compliance Officer, Golden Field Office.

[FR Doc. E9-22920 Filed 9-22-09; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. NJ08-5-003]

Bonneville Power Administration; Transmission Service Terms and Conditions; Notice of Filing

September 16, 2009.

Take notice that on September 14, 2009, Bonneville Power Administration (BPA), pursuant to 18 CFR 35.28(e) and 18 CFR 385.207, filed certain amendments to Attachment K to its Open Access Transmission Tariff in response to the Commission's July 16, 2009 Order, *United States Department of Energy—Bonneville Power Administration*, 128 FERC ¶ 61,065 (2009). BPA also request a declaratory order accepting their proposed Attachment K as revised, finding that it satisfies the Commission's standards for reciprocity.

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

Comment Date: 5 p.m. Eastern Time on October 14, 2009.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-22855 Filed 9-22-09; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL00-95-233; Docket No. EL00-98-218]

Notice of Filing

September 16, 2009.

In the matter of: San Diego Gas & Electric Company, Complainant v. Sellers of Energy and Ancillary Service Into Markets Operated by the California Independent System Operator and the California Power Exchange, Respondents; Investigation of Practices of the California Independent System Operator and The California Power Exchange.

Take notice that on September 11, 2009, the California Power Exchange Corporation filed a refund report in compliance with the Commission's May 21, 2009 Order, *Order Approving Settlement*, 127 FERC 61,145.

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.

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Comment Date: 5 p.m. Eastern Time on October 2, 2009.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-22853 Filed 9-22-09; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Southwestern Power Administration

Integrated System Power Rates

AGENCY: Southwestern Power Administration, DOE.

ACTION: Notice of public review and comment.

SUMMARY: The Administrator, Southwestern Power Administration (Southwestern), has prepared Current and Revised 2009 Power Repayment Studies which show the need for an increase in annual revenues to meet cost recovery criteria. Such increased revenues are needed primarily to cover increased investments and replacements in hydroelectric generating facilities and increased operation and maintenance expenses. The Administrator has developed proposed Integrated System rates, which are supported by a rate design study, to recover the required revenues. The June 2009 Revised Study indicates that the proposed rates would increase annual system revenues approximately 10.8 percent from \$160,255,300 to \$177,586,158.

DATES: The consultation and comment period will begin on the date of publication of this **Federal Register** notice and will end November 23, 2009. Upon request, a combined Public Information and Comment Forum (Forum) will be held in Tulsa, Oklahoma at 9 a.m. on October 7, 2009.

ADDRESSES: The Forum will be held in Southwestern's offices, Room 1460, Williams Center Tower I, One West Third Street, Tulsa, Oklahoma 74103.

FOR FURTHER INFORMATION CONTACT: Mr. James K. McDonald, Assistant Administrator, Office of Corporate

Operations, Southwestern Power Administration, U.S. Department of Energy, One West Third Street, Tulsa, Oklahoma 74103, (918) 595-6690, jim.mcdonald@swpa.gov.

SUPPLEMENTARY INFORMATION: Originally established by Secretarial Order No. 1865 dated August 31, 1943, Southwestern is an agency within the U.S. Department of Energy created by the Department of Energy Organization Act, Public Law 95-91 (1977). Southwestern markets power from 24 multi-purpose reservoir projects with hydroelectric power facilities constructed and operated by the U.S. Army Corps of Engineers. These projects are located in the states of Arkansas, Missouri, Oklahoma, and Texas. Southwestern's marketing area includes these States plus Kansas and Louisiana. The costs associated with the hydropower facilities of 22 of the 24 projects are repaid via revenues received under the Integrated System rates, as are those associated with Southwestern's transmission facilities, which consist of 1,380 miles of high-voltage transmission lines, 24 substations, and 46 microwave and VHF radio sites. Costs associated with the Sam Rayburn and Robert D. Willis Dams, two Corps of Engineers projects that are isolated hydraulically, electrically, and financially from the Integrated System are repaid under separate rate schedules and are not addressed in this notice.

Following Department of Energy guidelines, Southwestern, prepared a Current Power Repayment Study ("Study") using existing system rates. (The guidelines for preparation of power repayment studies are included in DOE Order No. RA 6120.2, entitled Power Marketing Administration Financial Reporting). The Study indicates that Southwestern's legal requirement to repay the investment in power generating and transmission facilities for power and energy marketed by Southwestern will not be met without an increase in revenues. The need for increased revenues is primarily due to increased investments and replacements in hydroelectric generating facilities for the U.S. Army's Corps of Engineers (Corps) and increased operations and maintenance costs for both Southwestern and the Corps. The Revised Power Repayment Study shows that additional annual revenues of \$17,330,858 (a 10.8 percent increase) are needed to satisfy repayment criteria.

A Rate Design Study has also been completed which allocates the revenue requirement to the various system rate schedules for recovery, and provides for