

However, assessment practices that a transmitting utility uses in applying these criteria are as important as the criteria themselves. These practices, developed through experience and study, include consideration of detailed factors that a transmitting utility may not list in the criteria that it submits under Part 4. For example, a utility might have certain operating restrictions and limitations that must be met by appropriate modeling within a simulation study.

Also, through experience and study, each transmitting utility may have developed a list of various contingencies it typically tests against in the application of its transmission planning reliability criteria. For example, before testing for the limits of transmission capability that could be used for firm power transfers on its system, a transmitting utility will assume, based on experience or realistic expectation, that certain facilities will be unavailable for some period of time. Each transmitting utility must identify these contingencies and submit them under this Part.

A description of the Respondent's practices when applying the transmission planning reliability criteria submitted in Part 4 must be submitted under this part. The description must include the substantive planning assessment practices that a Respondent follows in the normal course of business. The information filed should help requesters to perform planning or screening studies and to better understand the process of determining available transmission capacity and known constraints.

In subsequent years, Respondents need only identify and file changed assessment practices. If the practices are unchanged from a previous filing, please provide the date of that filing. If this date is prior to the 2010 filing deadline, Respondents need only state that the previous filing was "prior to the 2010 filing."

#### *F. Part 6: Evaluation of Transmission System Performance*

The transmitting utility must provide a narrative evaluation or assessment of the performance of its transmission system in future time periods based on the application of its reliability criteria. It must provide a clear understanding of existing and likely future transmission constraints, their sources, how it identified these constraints, and a description of any plans to mitigate the constraints. The evaluation must provide a clear understanding of the existing and expected system performance of the Respondent's transmission system. The evaluation should include a description of all existing transmission stability limits that the transmitting utility has uncovered through dynamic system simulation studies. If, in their studies, Respondents identify stability as a regional transmission limiting factor, Respondents must, on request, provide the results of their studies.

The required evaluation is to be drawn from existing utility transmission planning studies and the experience and judgment of the Respondents' transmission system planners. Respondents may base the required evaluation, in part, on recently performed

operating studies that determine transfer capabilities for the upcoming peak load season.

[FR Doc. E9-28791 Filed 12-1-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[P-13590-000]

#### Lockhart Power Company; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process

November 23, 2009.

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 13590-000.

c. *Date Filed:* September 28, 2009.

d. *Submitted By:* Lockhart Power Company (Lockhart Power).

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

f. *Location:* On the Enoree River in Spartanburg and Laurens Counties, South Carolina. No federal lands are occupied by the project works or located within the project boundary.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's Regulations

h. *Potential Applicant Contact:* Bryan Stone, Lockhart Power Company, Chief Operating Officer, 420 River Street, P.O. Box 10, Lockhart, South Carolina 29364; 1-800-368-1289.

i. *FERC Contact:* Bryan Roden-Reynolds at (202) 502-6618; or e-mail at [bryan.roden-reynolds@ferc.gov](mailto:bryan.roden-reynolds@ferc.gov).

j. Lockhart Power filed its request to use the Traditional Licensing Process on September 28, 2009. Lockhart Power provided public notice of its request on September 29 and 30, 2009. In a letter dated November 20, 2009, the Director of the Office of Energy Projects approved Lockhart Power's request to use the Traditional Licensing Process.

k. *With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service and National Marine Fisheries Service (NMFS) under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402; (b) NMFS under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920; and (c) the South Carolina 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 Lockhart Power as the Commission's non-federal representative for carrying out informal consultation, pursuant to Section 7 of the Endangered Species Act, Section 305 of the Magnuson-Stevens Fishery Conservation and Management Act, and Section 106 of the National Historic Preservation Act.

m. Lockhart Power 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.

o. 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.

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

[FR Doc. E9-28793 Filed 12-1-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL05-146-010]

#### Independent Energy Producers Association v. California Independent System Operator Corporation; Notice of Compliance Filing

November 24, 2009.

Take notice that on November 20, 2009, Mirant Energy Trading, LLC filed an amendment to their compliance refund report submitted on October 2, 2009, pursuant to the Commission's order issued on August 18, 2009, 128 FERC ¶ 61,165 (2009) (Order on Remand).

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 December 11, 2009.

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

[FR Doc. E9-28796 Filed 12-1-09; 8:45 am]

BILLING CODE 6717-01-P

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. QF86-36-004; EL10-18-000]

#### PowerSmith Cogeneration Project Limited Partnership; Notice of Filing

November 24, 2009.

Take notice that on November 20, 2009, PowerSmith Cogeneration Project Limited Partnership filed a petition for temporary waiver of 5 percent operating efficiency standards for its 110 MW topping-cycle cogeneration facility, located in Oklahoma City, Oklahoma, pursuant to the Federal Energy Regulatory Commission's regulations 292.205(c) and 385.207, 18 CFR 292.205(c) and 385.207.

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 December 4, 2009.

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

[FR Doc. E9-28789 Filed 12-2-09; 8:45 am]

BILLING CODE 6717-01-P

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. ID-3398-002]

#### Burke, Kevin; Notice of Filing

November 23, 2009.

Take notice that on November 19, 2009, Kevin Burke filed an application for authorization to hold interlocking positions, pursuant to section 305(b) of the Federal Power Act, 16 U.S.C. 825d(b), and Part 45 of the regulations of the Federal Energy Regulatory Commission, 18 CFR 45 (2009).

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 December 10, 2009.

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

[FR Doc. E9-28792 Filed 12-1-09; 8:45 am]

BILLING CODE 6717-01-P

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER10-149-000]

#### Elk City Wind, LLC; Notice of Filing

November 24, 2009.

Take notice that, on November 18, 2009, Elk City Wind, LLC filed to supplement, its filing in the above captioned docket with information required under the Commission's regulations. Such filing served to reset the filing date in this proceeding.

Any person desiring to intervene or to protest this filing must file in