

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is July 29, 2010.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

**Nathaniel J. Davis, Sr.,**  
*Deputy Secretary.*

[FR Doc. 2010-17903 Filed 7-21-10; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER10-1725-000]

#### **Hardscrabble Wind Power LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization**

July 9, 2010.

This is a supplemental notice in the above-referenced proceeding of Hardscrabble Wind Power LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket

authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is July 29, 2010.

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**Nathaniel J. Davis, Sr.,**  
*Deputy Secretary.*

[FR Doc. 2010-17902 Filed 7-21-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

#### **Production Incentives for Cellulosic Biofuels: Notice of Program Intent**

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

**ACTION:** Notice of Program Intent.

**SUMMARY:** The Department of Energy (DOE) today gives notice that the Office of Biomass Program, in the Office of Energy Efficiency and Renewable Energy, intends to conduct a Reverse Auction pursuant to section 942 of the Energy Policy Act of 2005 (EPAct 2005). Through this notice, biofuels producers and other interested parties are invited to submit pre-auction eligibility information in accordance with the process described below.

**DATES:** Pre-auction eligibility information must be received by September 20, 2010.

**ADDRESSES:** E-mail pre-auction eligibility information to [942@go.doe.gov](mailto:942@go.doe.gov) between July 22, 2010 through September 20, 2010.

#### **FOR FURTHER INFORMATION CONTACT:**

Questions may be directed to: Mr. Neil Rossmeissl, Office of the Biomass Program, U.S. Department of Energy, Mailstop EE-2E, Room 5H021, 1000 Independence Avenue, SW., Washington, DC 20585; (202) 586-8668 or at [Neil.Rossmeissl@ee.doe.gov](mailto:Neil.Rossmeissl@ee.doe.gov); or Ms. Liz Moore, U.S. Department of Energy, 1617 Cole Boulevard, Golden, CO 80401-3393, (303) 275-4769 or [Liz.Moore@go.doe.gov](mailto:Liz.Moore@go.doe.gov).

#### **SUPPLEMENTARY INFORMATION:**

- I. Background and Overview
- II. Discussion of Pre-Auction Eligibility Process
  - A. Invitation To Participate
  - B. Pre-Auction Eligibility Statement
  - C. Eligibility
- III. Reverse Auction Process
  - A. Eligibility
  - B. Open Timeframe
- IV. Post-Auction Requirements and Information for Successful Bidders

#### **I. Background and Overview**

As stated in 10 CFR part 452, "Production Incentives for Cellulosic Biofuels; Reverse Auction Procedures and Standards," (74 FR 52867, October 15, 2009) ("Final Rule"), Section 942 of the EPAct 2005, Public Law 109-58 (August 8, 2005), requires the Secretary of Energy (Secretary), in consultation with the Secretary of Agriculture, the Secretary of Defense, and the Administrator of the Environmental

Protection Agency, to establish an incentive program for the production of cellulosic biofuels and to implement that program by means of a "reverse auction." Through this Notice of Program Intent ("Notice"), DOE is initiating the reverse auction process by inviting interested parties to submit pre-auction eligibility statements. DOE will notify each party that submits a pre-auction eligibility statement of its acceptance or rejection. Only eligible parties will be invited to submit bids for the reverse auction. Approximately \$4,600,000 in incentives will be available from this reverse auction.

## II. Discussion of Pre-Auction Eligibility Process

### A. Invitation To Participate

All interested parties are invited to submit pre-auction eligibility statements. Pre-auction eligibility statements must be submitted to [942@go.doe.gov](mailto:942@go.doe.gov) between July 22, 2010 through September 20, 2010, no later than 5 p.m. Mountain Time. Section 452.4(b) of the Final Rule provides that "DOE shall notify each entity that files a pre-auction eligibility submission of its acceptance or rejection no later than 15 days before the reverse auction for which the submission was made. A DOE decision constitutes final agency action and is conclusive."

### B. Pre-Auction Eligibility Statement

A pre-auction eligibility statement will, at a minimum:

- (i) Demonstrate that the filing party owns and operates or plans to own and operate an eligible cellulosic biofuels production facility;
- (ii) Identify the site or proposed site for the filing party's eligible cellulosic biofuels production facility;
- (iii) Demonstrate that the cellulosic biofuel to be produced for purposes of receiving an award either currently is suitable for widespread general use as a transportation fuel or will be suitable for such use in a timeframe and in sufficient volumes to significantly contribute to the goal of 1 billion gallons of refined cellulosic biofuel by August 2015.
- (iv) Provide audited or *pro forma* financial statements for the latest 12 month period; and
- (v) Identify one or more proposed sources of financing for the construction or expansion of the filing party's eligible cellulosic biofuels production facility.

DOE will provide the format for the pre-auction eligibility statement. It may be obtained by request from [942@go.doe.gov](mailto:942@go.doe.gov) or from the corresponding postings on <http://www.eere.energy.gov> or <http://www.grants.gov>.

[www.eere.energy.gov](http://www.eere.energy.gov) or <http://www.grants.gov>. Where the applicant provides audited financial statements to satisfy (iv) above, the statements must be audited by an independent firm. At the applicant's discretion, a narrative may be included to address any of the above requirements. This attachment must not exceed three pages when printed on 8.5" by 11" paper with 1 inch margins (top, bottom, left, and right), single spaced, with font not smaller than 11 point.

### C. Eligibility

As defined in the Final Rule, eligible cellulosic biofuels production facility means a facility—

- Located in the United States (including U.S. territories and possessions);
- Which meets all applicable Federal and State permitting requirements; and
- Employs a demonstrated refining technology.

An eligible cellulosic biofuels production facility must also be operational and producing the eligible cellulosic biofuel no later than three years after the bid is submitted to the reverse auction. Facilities must have the capacity to produce a minimum of 10 million gallons per year of cellulosic biofuel. Incentives are specific to a facility. If the facility should change ownership during the course of the award period, the incentive will be paid to the new owner of the facility, if the successor entity meets all eligibility requirements.

For the cellulosic biofuel to be eligible under this program, bidders must also demonstrate that they will produce a cellulosic biofuel which either currently is suitable for widespread general use as a transportation fuel or, alternatively, that the cellulosic biofuel will be suitable for such use in a timeframe and in sufficient volumes to significantly contribute to the goal of 1 billion gallons of refined cellulosic biofuel by the statutory deadline. This description may include, but is not limited to the following:

- Obtaining vehicle manufacturer(s) approval;
- Obtaining EPA fuel registration(s);
- Establishing standards for use, production, storage, transportation, and retail dispensing; and
- Establishing a distribution/dispensing infrastructure.

Additionally, the pre-auction eligibility statements must estimate the costs and discuss the activities required for eventually commercializing the proposed cellulosic biofuel.

The pre-auction eligibility statements must also calculate the lower heating

BTU value (LHV) of the proposed cellulosic value as compared to gasoline on a volumetric equivalent basis. A table with the most common fuels heating values can be found at: [http://cta.ornl.gov/bedb/appendix\\_a/Lower-Higher\\_Heating\\_Values\\_for\\_Various\\_Fuels.xls](http://cta.ornl.gov/bedb/appendix_a/Lower-Higher_Heating_Values_for_Various_Fuels.xls). Incentives will be scaled proportionately to the energy content of the cellulosic biofuel.

An eligible biofuels producer must either own and operate or plan to own and operate an eligible cellulosic biofuels facility. The awards are site specific; an eligible biofuels producer cannot transfer the incentive to another facility. The producer will be responsible for satisfying all terms and conditions of the incentive award, including but not limited to, reporting requirements to DOE.

## III. Reverse Auction Process

### A. Eligibility

Bids will only be accepted from bidders who were notified of their eligibility by DOE after submitting acceptable pre-auction eligibility statements. In addition to being notified of their acceptance into the bidding pool, bidders will be notified of the process by which bids will be accepted via a funding opportunity announcement (FOA) to be published at <http://www.grants.gov>. Bids that are not consistent with the information submitted in the pre-auction eligibility statements will be rejected.

### B. Open Timeframe

The specific bidding window will be identified in the published FOA. It is anticipated that the bidding window will occur during September 2010. The reverse auction will be conducted via a closed bid process and only the final bid received from a bidder will be considered.

## IV. Post-Auction Requirements and Information for Successful Bidders

Successful bidders will be required to adhere to all criteria described in the Final Rule as well as the Terms and Conditions that will be contained within the Assistance Agreement award executed by DOE. These requirements include, but are not limited to, the following:

- Progress Reports,
- Production Agreements,
- Confirmation of Continuing Eligibility, and
- Contractual Condition on Eligibility.

Post-Auction Requirements are identified in the Final Rule and will be available in the published FOA.

Issued in Golden, CO on July 15, 2010.

**Jamie Harris,**

*Director, Office of Acquisition and Financial Assistance, Golden Field Office.*

[FR Doc. 2010-17987 Filed 7-21-10; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AD10-15-000]

#### Smart Grid Update; Notice of Commissioner and Staff Attendance at FERC/NARUC Collaborative on Smart Response Meeting

July 15, 2010.

The Federal Energy Regulatory Commission hereby gives notice that members of the Commission and/or Commission staff may attend the following meeting:

FERC/NARUC Collaborative on Smart Response: Sacramento Convention Center, 1400 J Street, Sacramento, CA 95814. July 18, 2010 (8:15 a.m.–12:30 p.m.)

Further information may be found at <http://summer.narucmeetings.org/program.cfm>.

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

[FR Doc. 2010-17888 Filed 7-21-10; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9178-4]

#### Protection of Stratospheric Ozone: Request for Applications for Essential Use Allowances for 2012 and 2013

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency is requesting applications for essential use allowances for calendar years 2012 and 2013. Essential use allowances provide exemptions from the phaseout of production and import of ozone-depleting substances. Essential use allowances must be authorized by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. The U.S. Government will use the applications received in response to this notice as the basis for its nomination of essential uses at the 23rd Meeting of the Parties to the Protocol, to be held in 2011.

**DATES:** Applications for essential use allowances must be submitted to EPA no later than August 23, 2010 in order for the U.S. Government to complete its review and to submit nominations to the United Nations Environment Programme and the Protocol Parties in a timely manner.

**ADDRESSES:** Send application materials to: Jeremy Arling, Stratospheric Protection Division (6205J), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. For applications sent via courier service, use the following direct mailing address: 1310 L Street, NW., Washington, DC 20005, room 1047E.

**Confidentiality:** Application materials that are confidential should be submitted under separate cover and be clearly identified as “trade secret,” “proprietary,” or “company confidential.” Information covered by a claim of business confidentiality will be treated in accordance with the procedures for handling information claimed as confidential under 40 CFR part 2, subpart B, and will be disclosed only to the extent and by means of the procedures set forth in that subpart. Please note that data will be presented in aggregate form by the United States as part of the nomination to the Parties. If no claim of confidentiality accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to the company (40 CFR 2.203).

**FOR FURTHER INFORMATION CONTACT:** Jeremy Arling at the above address, or by telephone at (202) 343-9055, by fax at (202) 343-2338, or by e-mail at [arling.jeremy@epa.gov](mailto:arling.jeremy@epa.gov). Information about essential uses may be obtained from EPA’s stratospheric protection Web site at <http://www.epa.gov/ozone/title6/exemptions/essential.html>.

#### SUPPLEMENTARY INFORMATION:

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- I. Background on the Essential Use Nomination Process
- II. Information Required for Essential Use Applications for Production or Import of Class I Substances in 2012 and 2013

##### I. Background on the Essential Use Nomination Process

The Parties to the Protocol agreed during the Fourth Meeting in Copenhagen on November 23–25, 1992, that non-Article 5 Parties (developed countries) would phase out the production and consumption of halons by January 1, 1994, and the production and consumption of other class I substances (under 40 CFR part 82,

subpart A), except methyl bromide, by January 1, 1996. The Parties also reached decisions and adopted resolutions on a variety of other matters, including the criteria to be used for allowing “essential use” exemptions from the phaseout of production and import of controlled substances. Decision IV/25 of the Fourth Meeting of the Parties details the specific criteria and review process for granting essential use exemptions.

Decision IV/25, paragraph 1(a), states that “\* \* \* a use of a controlled substance should qualify as ‘essential’ only if: (i) It is necessary for the health, safety or is critical for the functioning of society (encompassing cultural and intellectual aspects); and (ii) there are no available technically and economically feasible alternatives or substitutes that are acceptable from the standpoint of environment and health.” In addition, the Parties agreed “that production and consumption, if any, of a controlled substance, for essential uses should be permitted only if: (i) All economically feasible steps have been taken to minimize the essential use and any associated emission of the controlled substance; and (ii) the controlled substance is not available in sufficient quantity and quality from the existing stocks of banked or recycled controlled substances \* \* \*” Decision XII/2 of the Twelfth Meeting of the Parties states that any CFC metered dose inhaler (MDI) product approved after December 31, 2000, is nonessential unless the product meets the criteria in Decision IV/25, paragraph 1(a).

The first step in obtaining essential use allowances is for the user to consider whether the use of the controlled substance meets the criteria of Decision IV/25. If the essential use request is for an MDI product, the user should also consider whether the product meets the criteria of Decision XII/2. In addition, the user should consult recent and ongoing rulemakings by the Food and Drug Administration (FDA) concerning the essential use determination of various MDI moieties. In particular, users should consider FDA’s November 19, 2008, final rulemaking that removes the essential use designation for epinephrine used in MDIs as of December 31, 2011 (73 FR 69532). Users should also consider FDA’s April 14, 2010, rulemaking that removes the essential use designations for flunisolide, triamcinolone, metaproterenol, pirbuterol, albuterol and ipratropium in combination, cromolyn, and nedocromil used in MDIs at various dates depending upon the inhaler (75 FR 19213).