

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 12715-001]

**Fairlawn Hydroelectric Company, LLC; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments**

January 6, 2011.

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

a. *Type of Application:* Original Major License.

b. *Project No.:* 12715-001.

c. *Date Filed:* December 23, 2010.

d. *Applicant:* Fairlawn Hydroelectric Company, LLC.

e. *Name of Project:* Jennings Randolph Hydroelectric Project.

f. *Location:* The proposed project would be at the U.S. Army Corps of Engineers' Jennings Randolph dam located on the North Branch Potomac River in Garrett County, Maryland and Mineral County, West Virginia. The project would occupy 5.0 acres of federal land managed by the U.S. Army Corps of Engineers.

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

h. *Applicant Contact:* Clifford Phillips, Fairlawn Hydroelectric Company LLC, 150 North Miller Road, Suite 450 C, Fairlawn, OH 44333; Telephone (330) 869-8451.

i. *FERC Contact:* Michael Spencer, (202) 502-6093 or [michael.spencer@ferc.gov](mailto:michael.spencer@ferc.gov).

j. This application is not ready for environmental analysis at this time.

k. *The Project Description:* The proposed Jennings Randolph Project would use the existing Corps of Engineers' Jennings Randolph dam and reservoir and consist of the following proposed features: (1) A 10-foot-diameter, 530-foot-long underwater multi-level intake structure with 24 intake ports to be built on the upstream face of the dam; (2) a 10-foot-diameter, 1,400-foot-long lined tunnel through the dam; (3) a 10-foot-diameter, 1,100-foot-long penstock; (4) the penstock would bifurcate into 96-inch-diameter and 66-inch-diameter penstocks at the entrance to the powerhouse; (5) a powerhouse approximately 54 feet long, 54 feet wide, and 40 feet high that would contain two generating units with a total capacity of 14.0 megawatts; (6) a 40-foot-long tailrace; (7) a 0.7-mile-long, 25-kilovolt partially buried transmission line; (8) a substation; and (9) new compacted gravel access roads to be constructed to the powerhouse and along the transmission line to the

project's substation. The proposed project would have an estimated average annual generation of 56,000 megawatt-hours and would bypass 150 feet of the North Branch Potomac River.

l. *Locations of the Application:* A copy of the application is available for review at the Commission in the Public Reference Room or may 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. 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 item (h) above.

m. 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, contact FERC Online Support.

n. *Procedural Schedule:*

The application will be processed according to the following preliminary Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Notice of Acceptance/Notice of Ready for Environmental Analysis (when FERC approved studies are complete) ....	February 21, 2011.
Filing of recommendations, preliminary terms and conditions, and fishway prescriptions .....	April 22, 2011.
Commission issues Non-Draft EA .....	August 20, 2011.
Comments on EA .....	October 4, 2011.
Modified terms and conditions .....	December 5, 2011.

o. Final amendments to the application must be filed with the Commission no later than 30 days from

the issuance date of the notice of ready for environmental analysis.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2011-543 Filed 1-12-11; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**Notice of Application**

January 5, 2011.

Texas Eastern Transmission, LP .....	Docket Nos. CP11-56-000
Algonquin Gas Transmission, LLC .....	PF10-17-000

Take notice that on December 20, 2010, Texas Eastern Transmission, LP, (Texas Eastern) 5400 Westheimer Court, Houston, Texas 77056 and Algonquin Gas Transmission, LLC, (Algonquin) 5400 Westheimer Court, Houston, Texas 77056 (collectively, the Applicants), jointly filed in the above referenced docket an application pursuant to sections 7(b) and 7(c) of the Natural Gas

Act (NGA) for the proposed New Jersey-New York Expansion Project (NJ-NY Project). Specifically, the Applicants request: (i) Authorization for Texas Eastern to construct, install, own, operate, and maintain 4.84 miles of 42-inch pipeline, 15.5 miles of 30-inch pipelines, four new meter and regulating stations, and appurtenances; (ii) authorization for Texas Eastern to

lease from Algonquin 730,000 dekatherms per day (Dth/d) of firm capacity rights, plus applicable shrinkage requirements on Texas Eastern's system, on Algonquin's mainline; (iii) authorization for Algonquin to construct, install, own, operate, and maintain certain proposed facilities and to lease capacity to Texas Eastern; (iv) authorization for Texas

Eastern to abandon in place eight miles of 20- and 24-inch pipeline; (v) authority to charge an incremental initial recourse rate, incremental access charges and incremental fuel, as applicable for the NJ-NY Project; and (vi) any waivers, authority, and further relief as may be necessary to implement the proposed facilities. The Applicants state that the proposed project will provide a total of 800,000 Dth/d of firm transportation service. The Applicants estimate the total cost of the NJ-NY Project to be approximately \$857 million, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site 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, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

Any questions concerning this application may be directed to Berk Donaldson, Director, Rates and Certificates, Texas Eastern Transmission, LP, PO Box 1642, Houston, Texas 77251-1642, by telephone at (713) 627-4488 or by facsimile at (713) 627-5947.

On April 23, 2010, the Commission staff granted the Applicants' request to utilize the Pre-Filing Process and assigned Docket No. PF10-17-000 to staff activities involved in the NJ-NY Project. Now as of the filing the December 20, 2010 application, the Pre-Filing Process for this project has ended. From this time forward, this proceeding will be conducted in Docket No. CP11-56-000, as noted in the caption of this Notice.

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, on or before the comment date stated below, 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

7 copies of filings made in the proceeding with the Commission and must mail a copy to the applicant and to every other party. 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.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, 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 7 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:* January 26, 2011.

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

[FR Doc. 2011-537 Filed 1-12-11; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PR11-77-000]

#### Atmos Energy—Kentucky/Mid-States Division; Notice of Baseline Filing

January 5, 2011.

Take notice that on December 30, 2010, Atmos Energy—Kentucky/Mid-States Division submitted a revised baseline filing of their Statement of Operating Conditions for services provided under Section 311 of the Natural Gas Policy Act of 1978 ("NGPA").

Any person desiring to participate in this rate proceeding must file a motion 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 and 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 date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

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 7 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