

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. On or before the comment date, it is not necessary to 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 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 May 31, 2011.

Dated: May 11, 2011.

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

[FR Doc. 2011-12119 Filed 5-17-11; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. OR11-8-000]

#### Flint Hills Resources Alaska, LLC; Notice of Petition for Declaratory Order

Take notice that on May 3, 2011, in accordance with Rule 207(a)(2) of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (18 CFR 385.207(a)(2)(2010)), Flint Hills Resources Alaska, LLC (Flint Hills) filed a petition for an order declaring that an as-yet unfiled, but anticipated, revision

to the tariffs and documents governing transportation of crude oil on the Trans Alaskan Pipeline System (TAPS) is unjust, unreasonable and unduly discriminatory and therefore, unlawful.

Flint Hills states that the anticipated revision would impose a minimum temperature requirement of 105 degrees F for residual crude oil that Flint Hills returns to TAPS after the oil has been shipped 300 miles from Prudhoe Bay to Flint Hills' North Pole Refinery, where the crude oil is received at 40 degrees F, refined into products, with the residual stream returned to TAPS for resumption of its transportation to Valdez, Alaska.

Any person desiring to intervene or to protest in this proceeding 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) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

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 proceedings 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.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, May 25, 2011.

Dated: May 11, 2011.

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

[FR Doc. 2011-12129 Filed 5-17-11; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 14110-000]

#### Black Canyon Hydro, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On March 14, 2011, Black Canyon Hydro, LLC filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Black Canyon Hydroelectric Project (project) to be located on the North Fork of the Snoqualmie River, near North Bend, King County, Washington. 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.

The proposed project would consist of the following: (1) An approximately 35-foot-wide, 7-foot-tall inflatable dam; (2) a 90-foot-wide, 7-foot-tall diversion intake structure; (3) a 9-foot-wide, 7-foot-tall fish ladder; (4) a 7,300-foot-long, 12-foot-diameter penstock; (5) a 60-foot-long, 100-foot-wide metal powerhouse with two Francis turbine units, one rated at 16-megawatts (MW), the other rated at 9 MW; (6) a 150-foot-long, 40-foot-wide tailrace; (7) a 0.75-mile extension of the existing logging road; (8) a 4.2-mile-long, 115-kilovolt (kV) transmission line; and (9) appurtenant facilities. The estimated annual generation of the project would be 90,000 megawatt-hours.

*Applicant Contact:* Mr. Chris Spens, Licensing Manager, Black Canyon Hydro, LLC, 3633 Alderwood Avenue, Bellingham, Washington 98225; phone: (360) 738-9999.

*FERC Contact:* Kelly Wolcott; phone: (202) 502-6480.

*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. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36. 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 <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please 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. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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-14110-000) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: May 11, 2011.

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

[FR Doc. 2011-12116 Filed 5-17-11; 8:45 am]

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## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Desert Southwest Customer Service Region-Rate Order No. WAPA-152

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of Rate Order Temporarily Extending Network Integration Transmission Service (NITS).

**SUMMARY:** This action is to temporarily extend the existing NITS formula rates for the Parker-Davis Project (P-DP), and the Pacific Northwest/Pacific Southwest

Intertie Project (Intertie) and Ancillary Services Rates for Western Area Lower Colorado (WALC) Balancing Authority through September 30, 2013. The existing NITS and Ancillary Services formula rates expire on June 30, 2011.

**FOR FURTHER INFORMATION CONTACT:** Mr. Darrick Moe, Regional Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005-6457, (602) 605-2522, e-mail [moe@wapa.gov](mailto:moe@wapa.gov), or Mr. Jack Murray, Rates Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005-6457, (602) 605-2442, e-mail [jmurray@wapa.gov](mailto:jmurray@wapa.gov).

**SUPPLEMENTARY INFORMATION:** By Delegation Order No. 00-037.00, effective December 6, 2001, the Secretary of Energy delegated: (1) The authority to develop power and transmission rates to the Administrator of the Western Area Power Administration (Western); (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the Federal Energy Regulatory Commission (FERC).

The existing formula rates, approved under Rate Order No. WAPA-127<sup>1</sup> became effective on July 1, 2006, and were approved through June 30, 2011. The existing rate formula methodology collects annual revenue sufficient to recover annual expenses, including interest and capital requirements, thus ensuring repayment of the project costs within the cost recovery criteria set forth in DOE Order RA 6120.2. Western also made the decision that the Desert Southwest and Rocky Mountain Regional Offices would work together in an attempt to make their Ancillary Service rate formulas consistent to the extent possible as a result of the operations consolidation of the two Regions. As a result, pursuant to 10 CFR 903.23(b), Western is temporarily extending the existing NITS formula rates for P-DP and Intertie, and WALC Ancillary Services formula rates, through September 30, 2013, unless the rate schedules are superseded prior to that date. This extension will provide the time Western needs to complete the

<sup>1</sup> FERC confirmed and approved Rate Order No. WAPA-127 on November 21, 2006, in Docket No. EF06-5191-000. See *United States Department of Energy, Western Area Power Administration*, 117 FERC ¶ 62,172 (2006).

informal and formal processes associated with the new rate formulas.

DOE regulations at 10 CFR 903.23(b) do not require Western to provide for a consultation and comment period or hold public information and comment forums. Following review of Western's proposal with DOE, I hereby approve Rate Order No. WAPA-152, which temporarily extends the existing NITS and Ancillary Services rate schedules PD-NTS2, INT-NTS2 and DSW-SD2, DSW-RS2, DSW-FR2, DSW-EI2, DSW-SPR2, DSW-SUR2 through September 30, 2013.

Dated: May 6, 2011.

**Daniel B. Poneman,**  
*Deputy Secretary.*

Department of Energy Deputy Secretary  
[Rate Order No. WAPA-152]

In the Matter of: Western Area Power Administration, Rate Extension for Desert Southwest Region Network Integration Transmission Service and WALC Ancillary Services Formula Rates.

#### Order Confirming and Approving a Temporary Extension of the Network Integration Transmission Service and Ancillary Services Formula Rates

Section 302 of the Department of Energy (DOE) Organization Act (42 U.S.C. 7152) transferred to and vested in the Deputy Secretary of Energy the power marketing functions of the Secretary of the Department of the Interior and the Bureau of Reclamation under the Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent laws, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)), and other Acts that specifically apply to the project involved.

By Delegation Order No. 00-037.00, effective December 6, 2001, the Secretary of Energy delegated (1) the authority to develop power and transmission rates to the Administrator of the Western Area Power Administration (Western); (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the Federal Energy Regulatory Commission (FERC). This rate extension is issued pursuant to the Delegation Order and DOE rate extension procedures at 10 CFR 903.23(b).

#### Background

Under Rate Order No. WAPA-127 the existing formula rates were approved for