The programmatic agreement, when executed by the Commission and the Vermont SHPO, would satisfy the Commission’s section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR 800.13(e)). The Commission’s responsibilities, pursuant to section 106 for the Otter Creek Project, would be fulfilled through the programmatic agreement, which the Commission staff proposes to develop in consultation with the interested participants listed below. The executed programmatic agreement would be incorporated into any order issuance.

Central Vermont Public Service Corporation, as applicant for the Otter Creek Project, is invited to participate in the consultation to develop the programmatic agreement. For the purpose of commenting on the programmatic agreement, we propose to restrict the service list for the proposed project as follows:


Joseph Kraus, Senior Vice President, Operations, Engineering & Customer Services, Central Vermont Public Service Corporation, 77 Grove Street, Rutland, VT 05701.

Any person on the official service list for the above-captioned proceeding may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. In a request for inclusion, please identify the reason or reasons why there is an interest to be included. Also, please identify any concerns about historic properties, including properties of traditional religious and cultural importance to a federally recognized tribe or tribal corporation that has an affiliation to the area. If historic properties are identified within the motion, please use a separate page, and label it NON–PUBLIC INFORMATION.

The original and eight copies of any motion or motions filed within the 15 day period may be served on each person whose name appears on the official service list. Please put the following on the first page: Otter Creek Project No. 2558–029. Motions may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission’s Web site (http://www.ferc.gov) under the “e-Filing” link. If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions filed within the 15 day period.

DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

[Project No. 2558–029—Illinois Otter Creek Hydroelectric Project]

Central Vermont Public Service Corporation; Notice of Proposed Restricted Service List for a Programmatic Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places

Rule 10 of the Federal Energy Regulatory Commission’s (Commission) Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.1 The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established. The Commission staff is consulting with the Vermont State Historic Preservation Officer (hereinafter, “Vermont SHPO”) and the Advisory Council on Historic Preservation, pursuant to section 106 of the National Historic Preservation Act 2 and its implementing regulations,3 to develop and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at the Otter Creek Hydroelectric Project (Otter Creek Project).

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1 18 CFR section 385.10.
2 16 USC section 470 (2006) et seq.
3 36 CFR part 800 (2009).