

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. EL14-93-000]

**State Corporation Commission of the State of Kansas v. Westar Energy, Inc.; Notice of Complaint**

Take notice that on August 20, 2014, pursuant to sections 206 and 306 of the Federal Power Act, 16 U.S.C. 824e and 825e and Rule 206 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.206, the State Corporation Commission of the State of Kansas (Complainant), filed a formal complaint against Westar Energy, Inc. (Respondent), alleging that the Return on Equity component of the Respondent's Transmission Formula Rate is unjust, unreasonable, and unduly discriminatory.

Richard A. Drom, counsel for the Complainant certifies that copies of the complaint were served on the contact for the Respondent as listed on the Commission's list of Corporate Officials.

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. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

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 5 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 electronic 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email

[FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5:00 p.m. Eastern Time on September 9, 2014.

Dated: August 21, 2014.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2014-20763 Filed 8-29-14; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. CP14-68-000]

**Texas Eastern Transmission, LP; Notice of Availability of the Environmental Assessment for the Proposed Ohio Pipeline Energy Network Project**

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the Ohio Pipeline Energy Network (OPEN) Project proposed by Texas Eastern Transmission, LP (Texas Eastern) in the above-referenced docket. Texas Eastern requests authorization to construct, modify, operate, and maintain a new natural gas pipeline and associated facilities in Ohio, which would provide 550,000 dekatherms per day of firm transportation service.

The EA assesses the potential environmental effects of the construction and operation of the OPEN Project in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major federal action significantly affecting the quality of the human environment.

The U.S. Fish and Wildlife Service (USFWS) participated as a cooperating agency in the preparation of the EA. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis. The USFWS intends to adopt and use the EA to issue an easement on federal lands to Texas Eastern.

The proposed OPEN Project includes the following new facilities in Ohio:

- 75.8 miles of new 30-inch-diameter natural gas pipeline crossing portions of Columbiana, Carroll, Jefferson, Belmont, and Monroe Counties, and;
- a new 18,800-horsepower compressor station in Belmont County,

Ohio (Colerain Compressor Station) that would include a 300-foot communication tower.

The proposed OPEN Project also includes modifications to existing facilities along Texas Eastern's system in Monroe County, Ohio; Monroe County, Kentucky; Attala, Hinds, and Jefferson Counties, Mississippi; and West Feliciana Parish, Louisiana.

The FERC staff mailed copies of the EA to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; newspapers and libraries in the Project area; and parties to this proceeding. In addition, the EA is available for public viewing on the FERC's Web site ([www.ferc.gov](http://www.ferc.gov)) using the eLibrary link. A limited number of copies of the EA are available for distribution and public inspection at: Federal Energy Regulatory Commission, Public Reference Room, 888 First Street NE., Room 2A, Washington, DC 20426, (202) 502-8371.

Any person wishing to comment on the EA may do so. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that the Commission has the opportunity to consider your comments prior to making its decision on this Project, it is important that we receive your comments in Washington, DC on or before September 22, 2014.

For your convenience, there are three methods you can use to file your comments with the Commission. In all instances, please reference the Project docket number (CP14-68-000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502-8258 or [efiling@ferc.gov](mailto:efiling@ferc.gov).

(1) You can file your comments electronically using the eComment feature on the Commission's Web site ([www.ferc.gov](http://www.ferc.gov)) under the link to Documents and Filings. This is an easy method for submitting brief, text-only comments on a project;

(2) You can also file your comments electronically using the eFiling feature on the Commission's Web site ([www.ferc.gov](http://www.ferc.gov)) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by

clicking on “eRegister.” You must select the type of filing you are making. If you are filing a comment on a particular project, please select “Comment on a Filing”; or

(3) You can file a paper copy of your comments by mailing them to the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission’s Rules of Practice and Procedures (18 CFR 385.214).<sup>1</sup> Only intervenors have the right to seek rehearing of the Commission’s decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

Additional information about the Project is available from the Commission’s Office of External Affairs, at (866) 208–FERC, or on the FERC Web site ([www.ferc.gov](http://www.ferc.gov)) using the eLibrary link. Click on the eLibrary link, click on “General Search,” and enter the docket number excluding the last three digits in the Docket Number field (i.e., CP14–68). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to [www.ferc.gov/docs-filing/esubscription.asp](http://www.ferc.gov/docs-filing/esubscription.asp).

Dated: August 22, 2014.

**Kimberly D. Bose,**  
Secretary.

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**BILLING CODE 6717–01–P**

<sup>1</sup> See the previous discussion on the methods for filing comments.

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 9421–000]

#### James D. Sysko; Notice of Intent To Terminate Exemption (5 MW or Less) and Soliciting Comments, Protests, or Motions To Intervene

Take notice that the following hydroelectric proceeding has been initiated by the Commission:

a. *Type of Proceeding:* Notice of Intent To Terminate Exemption.

b. *Project No.:* 9421–000.

c. *Date Initiated:* August 21, 2014.

d. *Exemptee:* James D. Sysko.

e. *Name and Location of Project:* The Gardner Brook Hydroelectric Project is located on Gardner Brook, in Oxford County, Maine.

f. *Exemptee Contact Information:* James D. Sysko, 524 Jims Drive, Newry, ME 04261, (207) 824–3244 and Penny Percival, P.O. Box 366, Andover, ME 04216.

g. *FERC Contact:* Ashish Desai, (202)502–8370, [Ashish.Desai@ferc.gov](mailto:Ashish.Desai@ferc.gov).

h. *Deadline for filing comments, protests, or motions to intervene is 30 days from the issuance of this notice by the Commission.* Please file your submittal electronically via the Internet (eFiling) in lieu of paper. Please refer to the instructions on the Commission’s Web site under <http://www.ferc.gov/docs-filing/efiling.asp> and filing instructions in the Commission’s Regulations at 18 CFR section 385.2001(a)(1)(iii). To assist you with eFilings you should refer to the submission guidelines document at <http://www.ferc.gov/help/submission-guide/user-guide.pdf>. In addition, certain filing requirements have statutory or regulatory formatting and other instructions. You should refer to a list of these “qualified documents” at <http://www.ferc.gov/docs-filing/efiling/filing.pdf>. You must include your name and contact information at the end of your comments. Please include the project number (P–9421–000) on any documents or motions filed. The Commission strongly encourages electronic filings; otherwise, you should submit an original and seven copies of any submittal to the following address: The Secretary, Federal Energy Regulatory Commission, Mail Code: DHAC, PJ–12, 888 First Street NE., Washington, DC 20426.

i. *Description of Project Facilities:* (1) 10-Acre impoundment; (2) 14-foot-high, 100-foot-long timber crib dam with concrete cap; (3) 12-inch-diameter, 3900-foot-long penstock; (4) a

powerhouse containing a single generating unit rated at 50 kW and (5) a 4000-foot-long underground transmission line.

j. *Description of Proceeding:* The exemptee is in violation of Standard Article 1 of its exemption, which was granted March 27, 1986 (34 FERC ¶62,603). The Commission’s regulation, 18 CFR 4.106, provides, among other things, that the Commission reserves the right to revoke an exemption if any term or condition of the exemption is violated.

Commission records indicate that the project stopped operating sometime in early 2007. After several years of correspondence regarding restoring operation to the project or surrounding the exemption, the exemptee has become non-responsive. On December 19, 2013, the Commission sent a letter indicating that the exemptee must file a plan and schedule to restore operation or surrender the project, failure to do so would result in an implied surrender. To date, the exemptee has not filed a response and the project remains inoperable.

k. This notice is available for review and reproduction at the Commission in the Public Reference Room, Room 2A, 888 First Street NE., Washington, DC 20426. The filing may also be viewed on the Commission’s Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the Docket number (P–9421–000) excluding the last three digits in the docket number field to access the notice. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call toll-free 1–866–208–3676 or email [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov). For TTY, call (202) 502–8659.

l. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .212, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission’s Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular proceeding.

m. *Filing and Service of Responsive Documents—*Any filing must (1) bear in all capital letters the title “COMMENTS, PROTEST,” or “MOTIONS TO INTERVENE,” as applicable; (2) set