

generally known by or available from other sources; (4) whether the information has previously been made available to others without obligation concerning its confidentiality; (5) an explanation of the competitive injury to the submitting person that would result from public disclosure; (6) when such information might lose its confidential character due to the passage of time; and (7) why disclosure of the information would be contrary to the public interest.

Signed in Washington, DC, on August 6, 2019.

**Anna Maria Garcia,**

*Director, Weatherization and Intergovernmental Programs Office, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy.*

[FR Doc. 2019-17758 Filed 8-16-19; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[P-13160-011]

#### Red River Hydro, LLC; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

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

- a. *Type of Application:* Non-capacity amendment of license.
- b. *Project No.:* P-13160-011.
- c. *Date Filed:* December 10, 2018.
- d. *Applicant:* Red River Hydro, LLC.
- e. *Name of Project:* Overton Lock and Dam Hydroelectric Project.
- f. *Location:* The unconstructed project would be located at the U.S. Army Corps of Engineer's John H. Overton Lock and Dam on the Red River in Rapides Parish, Louisiana.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contact:* Paul Jacob, Red River Hydro, LLC, c/o Rye Development, 745 Atlantic Ave., 8th Floor, Boston, MA 02111, (617) 7010-3288.
- i. *FERC Contact:* Marybeth Gay, (202) 502-6125, [Marybeth.Gay@ferc.gov](mailto:Marybeth.Gay@ferc.gov) or Korede Olagbegi, (202) 502-6268, [Korede.Olagbegi@ferc.gov](mailto:Korede.Olagbegi@ferc.gov).
- j. Deadline for filing comments, motions to intervene, and protests is 30 days from the issuance of this notice by the Commission. The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at [http://](http://www.ferc.gov/docs-filing/efiling.asp)

[www.ferc.gov/docs-filing/efiling.asp](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/doc-sfiling/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), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P-13160-011.

k. *Description of Request:* The applicant proposes to replace the project's two authorized 26-megawatt (MW) turbine-generator units with six 8.1-MW turbine-generator units. The proposed action would reduce the total authorized installed capacity of the project from 52.0 to 48.6 MW, and the hydraulic capacity from 33,200 to 29,658 cubic feet per second. To accommodate the change from two to six units, the applicant proposes to increase the size of the powerhouse from 214 feet long by 112 feet wide, to 133 feet long by 236 feet wide, and raise the foundation from an elevation of -20 feet to +3 feet, which it states will pose less of a construction risk. The applicant does not propose changes to any other aspects of the project.

l. *Locations of the Applications:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE, Room 2A, Washington, DC 20426, or by calling (202) 502-8371. The filing may also be viewed on the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. 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 1-866-208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Motions to Intervene, or Protests:* Anyone may submit comments, a motion to intervene, or a protest in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .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, motions to intervene, or protests must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title COMMENTS, MOTION TO INTERVENE, or PROTEST as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the temporary variance request. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: August 13, 2019.

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

[FR Doc. 2019-17720 Filed 8-16-19; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL19-88-000]

#### New York Power Authority; Notice of Petition for Declaratory Order

Take notice that on August 12, 2019, pursuant to section 219 of the Federal

Power Act,<sup>1</sup> Rule 207 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.207(a)(2) (2018), Order No. 679,<sup>2</sup> and the Commission's November 15, 2012 policy statement on transmission incentives,<sup>3</sup> the New York Power Authority (NYPA or Petitioner), filed a petition for declaratory order seeking incentive rate treatments for NYPA's investment in competitively selected New York Independent System Operator, Inc. transmission projects needed to relieve severe and chronic congestion between upstate and downstate New York (AC Transmission Needs Projects or AC Projects), as more fully explained in the petition.

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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioner.

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 review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the website 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.

Dated: August 13, 2019.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2019-17730 Filed 8-16-19; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RC11-6-009]

#### North American Electric Reliability Corporation; Notice of Staff Review of Enforcement Programs

Commission staff coordinated with the staff of the North American Electric Reliability Corporation (NERC) to conduct the annual oversight of the Find, Fix, Track and Report (FFT) program, as outlined in the March 15, 2012 Order,<sup>1</sup> and the Compliance Exception (CE) Program, as proposed by NERC's September 18, 2015 annual Compliance Filing.<sup>2</sup> The Commission supported NERC's plan to coordinate with Commission staff to review the same sample of possible violations, thereby reducing the burden on the Regional Entities of providing evidence for two different samples. Furthermore, NERC and Commission staff agreed to exclude the Florida Reliability Coordinating Council Regional Entity (FRCC) from the survey, reducing the burden on FRCC as it focuses efforts on a planned and approved termination of its responsibilities as a Regional Entity. Commission staff reviewed a sample of 27 FFT possible violations out of 47 FFT possible violations posted by NERC

between October 2017 and September 2018 and a sample of 37 CE instances of noncompliance out of 898 CE instances of noncompliance posted by NERC between October 2017 and September 2018.

Commission staff believes that the FFT and CE programs are meeting expectations, with limited exceptions. Sampling for the 2018 program year indicated that the Regional Entities appropriately included 63 of the 64 sampled possible violations in the FFT and CE programs, with only one exception, and that 62 of the 64 sampled FFTs and CEs have been adequately remediated, with the remaining two FFTs to be adequately remediated once the ongoing mitigation is completed in the coming months. Commission staff's sample analysis indicated a decreasing number of documentation concerns, particularly with regard to the clear identification of root cause in the FFT and/or CE postings. Specifically, the identification of root cause in FFTs and CEs has improved significantly over the past five years, moving from 38 percent missing an identification of root cause to all now being included in this year's sampling. Commission staff subsequently reviewed the supporting information for these FFTs or CEs and agreed with the final risk determinations for 62 of 64 samples. Commission staff also noted a significant improvement in the clear identification of factors affecting the risk prior to mitigation (such as potential and actual risk), and actual harm, which was identified in all samples. In addition, Commission staff noted that the FFTs and CEs sampled did not contain any material misrepresentations by the registered entities.

Dated: August 12, 2019.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2019-17723 Filed 8-16-19; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Effectiveness of Exempt Wholesale Generator Status

<sup>1</sup> 16 U.S.C. 824s (2012).

<sup>2</sup> *Promoting Transmission Investment through Pricing Reform*, Order No. 679, 71 FR 43,294 (July 31, 2006) FERC Stats. & Regs. 31,222 (2006) (Order No. 679), *order on reh'g*, Order No. 679-A, 72 FR 1152 (Jan. 10, 2007), FERC Stats & Regs. 31,236 (2006) ("Order No. 679-A"), *reh'g denied*, 119 FERC ¶ 61,062 (2007).

<sup>3</sup> *Promoting Transmission Investment through Pricing Reform*, 141 FERC ¶ 61,129 (2012) (Incentives Policy Statement).

<sup>1</sup> *North American Electric Reliability Corp.*, 138 FERC 61,193, at P 73 (2012) (discussing Commission plans to survey a random sample of FFTs submitted each year to gather information on how the FFT program is working).

<sup>2</sup> *North American Electric Reliability Corp.*, Docket No. RC11-6-004, at 1 (Nov. 13, 2015) (delegated letter order) (stating NERC's intention to combine the evaluation of Compliance Exceptions with the annual sampling of FFTs to further streamline oversight of the FFT and compliance exception programs).