

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

[Docket No. EL08–52–000]

**California Independent System Operator Corporation; Notice of Complaint**

April 3, 2008.

Take notice that on April 1, 2008, the California Independent System Operator Corporation (CAISO) filed a complaint pursuant to section 206, 306 and 309 of the Federal Power Act, 16 U.S.C. 824e, 825e, and 825h, and section 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 CFR 385.206 (2007), to modify the Transmission Control Agreement (TCA), under which the CAISO assumes Operational Control of the transmission facilities that constitute the ISO Controlled Grid. CAISO asserts that the TCA would be unjust and unreasonable and unduly discriminatory if Startrans IO, L.L.C. (Startrans IO), is precluded from becoming a party to the TCA and a Participating Transmission Owner (Participating TO), for the transmission rights that it proposes to acquire from the City of Vernon that are currently under the CAISO's Operational Control.

The CAISO states that the complaint and all attachments have been served upon the Public Utilities Commission of the State of California, the California Energy Commission, the California Electricity Oversight Board, the Participating TOs, Startrans IO, and all parties with effective Scheduling Coordinator Agreements under the CAISO Tariff. In addition, the complaint and all attachments have been posted on the CAISO Home Page.

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 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 April 21, 2008.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8–7599 Filed 4–9–08; 8:45 am]

**BILLING CODE 6717–01–P**

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

[Project No. 13135–000]

**City of Watervliet; Notice of Application Accepted for Filing and Soliciting Comments, Protests, and Motions To Intervene**

April 3, 2008.

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

- a. *Type of Application:* Preliminary Permit.
- b. *Project No.:* 13135–000.
- c. *Date filed:* March 3, 2008.
- d. *Applicant:* City of Watervliet.
- e. *Name and Location of Project:* The proposed Delta Dam Hydroelectric Project would be located at Delta Dam on the Mohawk River in Oneida County, New York.
- f. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).
- g. *Applicant contact:* Mr. Mark Gleason, General Manager, City of Watervliet, City Hall, Watervliet, NY 12189, (518) 270–3800 x122.
- h. *FERC Contact:* Tom Papsidero, (202) 502–6002.
- i. *Deadline for filing comments, protests, and motions to intervene:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, Secretary, Federal Energy

Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings. Please include the project number (P–13135–000) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervenor 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.

j. *Description of Existing Facilities and Proposed Project:* The proposed Delta Dam Project would consist of: (1) The existing 1,016-foot-long, 76-foot-high Delta dam, owned by the New York State Canal Corporation, (2) an existing impoundment having a surface area of 2,700 acres and a storage capacity of 63,200 acre-feet and normal water surface elevation of 550 feet mean sea level, (3) a proposed powerhouse containing two generating units with a total installed capacity of 5.0 megawatts, (4) a proposed 1,000-foot-long, 13.2-kilovolt underground generator lead, and (5) appurtenant facilities. The project would have an annual generation of 16.1 GWh.

k. *Location of Applications:* A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room or may be viewed on the Commission's website 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, call toll-free 1–866–208–3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item g above.

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

m. *Competing Preliminary Permit—* Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to

the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30 and 4.36.

**n. Competing Development Application**—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30 and 4.36.

**o. Notice of Intent**—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

**p. Proposed Scope of Studies under Permit**—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

**q. 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, .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 application.

**r. Filing and Service of Responsive Documents**—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

**s. Agency Comments**—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-7603 Filed 4-9-08; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13023-000]

#### **Michael D. Mason; Notice of Application Accepted for Filing and Soliciting Comments, Protests, and Motions to Intervene**

April 3, 2008.

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

**a. Type of Application:** Preliminary Permit.

**b. Project No.:** 13023-000.

**c. Date filed:** September 17, 2007.

**d. Applicant:** Michael D. Mason.

**e. Name and Location of Project:** The proposed Upper Kiser Creek

Hydroelectric Project would be located on Kiser Creek in Delta County, Colorado and would be entirely located in the Grand Mesa National Forest.

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

**g. Applicant contact:** Mr. Michael D. Mason; 26380 Cedar Mesa Road, Cedaredge, CO 81413, (970) 856-7022.

**h. FERC Contact:** Tom Papsidero, (202) 502-6002.

**i. Deadline for filing comments, protests, and motions to intervene:** 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings. Please include the project number (P-13023-000) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervenor 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.

**j. Description of Existing Facilities and Proposed Project:** The proposed project would consist of: (1) A proposed diversion structure; (2) a proposed 5,755-foot-long, 16-inch-diameter plastic/steel penstock, (3) a proposed powerhouse containing one generator unit with a total installed capacity of 644 kilowatts, (4) a proposed 918-foot-long 12-kV transmission line interconnection, and (5) appurtenant facilities. The project would have an annual generation of 1.5 GWh which would be sold to a local utility.

**k. Location of Applications:** A copy of the application is available for inspection and reproduction 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, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY,