

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

[Project No. 13450-000]

**McGinnis, Inc.; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications**

July 2, 2009.

On April 29, 2009, McGinnis, Inc. filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the John T. Myers Hydrokinetic Project, located on the Ohio River, in Union County, Kentucky, and Posey County, Indiana. 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: (1) A 100 to 300-foot-long by 20 to 52-foot-wide barge spudded down to the riverbed; (2) 10 6-8-foot-long by 6-8-foot-diameter turbine-generators mounted in line along the side of the barge; (3) one armored, high-voltage cable transmitting the generated power to the existing transmission line located adjacent to the proposed project area; and (4) appurtenant facilities. The proposed project would generate about 1,533 megawatt-hours.

*Applicant Contact:* Bruce D. McGinnis, Sr., McGinnis, Inc., P.O. Box 534, 502 Second St. Ext., South Point, OH 45680, phone: (740) 377-4391.

*FERC Contact:* Sergiu Serban, 202-502-6211.

*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. 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 under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at

<http://www.ferc.gov/filing-comments.asp>.

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-13450) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

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

[FR Doc. E9-16439 Filed 7-10-09; 8:45 am]

BILLING CODE 6717-01-P

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

[Docket No. OR09-16-000]

**Tesoro Refining and Marketing Company Complainant v. SFPP L.P., Respondent; Notice of Complaint**

July 2, 2009.

Take notice that on June 30, 2009, Tesoro Refining and Marketing Company (Tesoro) filed a formal complaint against SFPP L.P. (SFPP) pursuant to Rule 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 CFR 385.206; the Procedural Rules Applicable to Oil Pipeline Proceedings, 18 CFR 343.2; sections 1(5), 8, 9, 13, 15 and 16 of the Interstate Commerce Act (ICA), 49 U.S.C. App. §§ 1(5), 8, 9, 13, 15 and 16 (1984) and section 1803 of the Energy Policy Act of 1992 (EPAct).

Tesoro alleges that SFPP has overstated its cost of service in the 2007 and 2008 Form 6 filed with the Commission. Tesoro requests that the Commission determine that the cost of service methodology employed by SFPP L.P. in the 2007 and 2008 Form 6s improperly characterize SFPP's cost of service, resulting in unjust and unreasonable rates, thereby violating sections 1(4) and 1(5) of the ICA and section 343.2(c)(1) of the Commission's regulations.

Tesoro certifies the copies of the complaint were served on the contacts for SFPP 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 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 July 20, 2009.

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

[FR Doc. E9-16434 Filed 7-10-09; 8:45 am]

BILLING CODE 6717-01-P

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

[Docket No. OR09-18-000]

**Tesoro Refining and Marketing Company, Complainant v. SFPP L.P., Respondent; Notice of Complaint**

July 2, 2009.

Take notice that on July 1, 2009, Tesoro Refining and Marketing Company (Tesoro) filed a formal complaint against SFPP L.P. (SFPP) pursuant to Rule 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 CFR 385.206; the Procedural Rules Applicable to Oil Pipeline Proceedings, 18 CFR 343.2; sections 1(5), 8, 9, 13, 15 and 16 of the Interstate Commerce Act (ICA), 49 U.S.C. App. §§ 1(5), 8, 9, 13, 15 and 16 (1984) and section 1803 of the Energy Policy Act of 1992 (EPAct).

Tesoro alleges that SFPP was over-recovering its cost of service in 2007

and 2008 and, therefore, was not entitled to increase its rates using the indexation methodology in 2008 and is not entitled to do so in 2009. Among other things, Tesoro requests that the Commission determine that the rates established by SFPP are unjust and unreasonable.

Tesoro certifies that copies of the complaint were served on the contacts for SFPP 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 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 July 21, 2009

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

[FR Doc. E9-16436 Filed 7-10-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. OR09-19-000]

#### Tesoro Refining and Marketing Company, Complainant v. Calnev Pipe Line, L.L.C., Respondent; Notice of Complaint

July 2, 2009.

Take notice that on July 1, 2009, Tesoro Refining and Marketing Company (Tesoro) filed a formal complaint against Calnev Pipe Line, L.L.C. (Calnev) pursuant to Rule 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 CFR 385.206; the Procedural Rules Applicable to Oil Pipeline Proceedings, 18 CFR 343.2, sections 1(5), 8, 9, 13, 15, and 16 of the Interstate Commerce Act (ICA), 49 U.S.C. App. §§ 1(5), 8, 9, 13, 15 and 16 (1984); and section 1803 of the Energy Policy Act of 1992 (EPAAct).

Tesoro alleges that Calnev is over-recovering its cost of service in 2008 and, therefore, is not entitled to increase its rates using the indexation methodology in 2009. Among other things, Tesoro requests that the Commission determine that the rates established by Calnev are unjust and unreasonable.

Tesoro certifies that copies of the complaint were served on the contacts for Calnev 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 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible online 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 July 21, 2009.

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

[FR Doc. E9-16437 Filed 7-10-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. OR09-17-000]

#### Tesoro Refining and Marketing Company, Complainant v. SFPP L.P., Respondent; Notice of Complaint

July 2, 2009.

Take notice that on June 30, 2009, Tesoro Refining and Marketing Company (Tesoro) filed a formal complaint against SFPP L.P. (SFPP) pursuant to Rule 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 CFR 385.206; the Procedural Rules Applicable to Oil Pipeline Proceedings, 18 CFR 343.2; sections 1(5), 8, 9, 13, 15 and 16 of the Interstate Commerce Act, 49 U.S.C. App. §§ 1(5), 8, 9, 13, 15 and 16 (1984) and section 1803 of the Energy Policy Act of 1992. Among other things, Tesoro alleges that SFPP was over-recovering its cost of service in 2007 and 2008 and, therefore, charged Tesoro excessive rates that are unjust and unreasonable.

Tesoro certifies that copies of the complaint were served on the contacts for SFPP 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