

\$0.0770 per MMBtu, a lost and unaccounted for charge of 2.53 percent and a fuel charge of 2.06 percent for gas transported under section 311.

Any person desiring to participate in this rate proceeding must file a motion 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 and 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 date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

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, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5 p.m. Eastern time on Friday, September 11, 2009.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-22103 Filed 9-14-09; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 13123-002—California Eagle Mountain Pumped Storage Project]

Eagle Crest Energy Company; 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

September 8, 2009.

Rule 2010 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 California State Historic Preservation Officer (hereinafter, SHPO) and the Advisory Council on Historic Preservation (hereinafter, Council) pursuant to the Council's regulations, 36 CFR part 800, implementing section 106 of the National Historic Preservation Act, *as amended*, (16 U.S.C. 470 f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at the Eagle Mountain Pumped Storage Project No. 13123-002.

The programmatic agreement, when executed by the Commission and the 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 Eagle Mountain Pumped Storage Project would be fulfilled through the programmatic agreement, which the Commission proposes to draft in consultation with certain parties listed below. The executed programmatic agreement would be incorporated into any Order issuing a license.

For the purpose of commenting on the programmatic agreement, we propose to restrict the service list for the aforementioned project as follows:

Don Klima or Representative Advisory Council on Historic Preservation, The Old Post Office Building, 1100 Pennsylvania Avenue, NW, Suite 803, Washington, DC 20004;

Stephen Lowe or Representative, Eagle Crest Energy Company, One El Paseo West Building, 74-199 El Paseo Drive, Suite 204, Palm Desert, CA 92260;

Cherilyn E. Widell, SHPO, or Representative, CA Office of Historic Preservation, 1416 9th Street, Sacramento, CA 95814;

Richard M. Milanovich, Chairman, or Representative, Agua Caliente Band of Cahuilla Indians, 5401 Dinah Shore Drive, Palm Springs, CA 92264;

Pattie Tuck, THPO, Agua Caliente Band of Cahuilla Indians, 5401 Dinah Shore Drive, Palm Springs, CA 92264;

Diana L. Chihuahua, or Representative, Torres-Martinez Desert Cahuilla Indians, P.O. Box 1160, Thermal, CA 92274;

Ron Escobar, Chemehuevi Reservation, P.O. Box 1976, Havasu Lake, CA 92363;

John Gomez, Ramona Band of Cahuilla Mission Indians, 56310 Highway 371, Suite B, Anza, CA 92539;

Robert Martin, Chairman, or Representative, Morongo Band of Mission Indians, 11581 Potrero Road, Banning, CA 92220;

Director or Representative, U.S. Bureau of Land Management, 22835 Calle San Juan De Los Lagos, Moreno Valley, CA 92553;

Donald H. Clarke, Law Offices of GKRSE, 1500 K Street, NW., Suite 330, Washington, DC 20005;

Michael Contreras, Jr., Morongo Band of Mission Indians, 13000 Fields Road, Banning, CA 92220;

Luther Salgado, Sr., or Representative, Cahuilla Band of Indians, P.O. Box 391741, Anza, CA 92539.

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(s) 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 an Indian tribe. If historic properties would be identified within the motion, please use a separate page, and label it NON-PUBLIC Information.

The original and 8 copies of any such motion must be filed with Kimberly D. Bose, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426,

¹ 18 CFR 385.2010.

and must be served on each person whose name appears on the official service list. Please put the following on the first page: Eagle Mountain Pumped Storage Project No. 13123-002. 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.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-22090 Filed 9-14-09; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PR09-5-002]

Lee 8 Storage Partnership; Notice of Refund Report

September 4, 2009.

Take notice that on August 31, 2009, Lee Storage Partnership filed its Refund Report pursuant to its Stipulation and Agreement of Settlement, dated March 20, 2009 as approved by delegated letter order, dated April 7, 2009.

Any person desiring to participate in this rate proceeding must file a motion 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 and 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 date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

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, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5 p.m. Eastern Time Friday, September 11, 2009.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-22084 Filed 9-14-09; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4542-013]

Boston Felt Company, Inc.; Notice of Revocation of Exemption by Implied Surrender and Soliciting Comments, Protests, and Motions To Intervene

September 8, 2009.

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

a. *Type of Proceeding*: Revocation of exemption by implied surrender.

b. *Project No.*: 4542-013.

c. *Date Initiated*: September 4, 2009.

d. *Exemptee*: The exemptee is Bacon Felt Company, Inc.

e. *Name and Location of Project*: The constructed 150-kilowatt Boston Felt Project is located on the Salmon Falls River in Stafford County, New Hampshire.

f. *Filed Pursuant to*: 18 CFR 4.106.

g. *Exemptee Contact Information*: Mr. Howard A. Greenlaw, Bacon Felt Company, Inc., P.O. Box 6258, 31 Front Street, East Rochester, NH 03868-6258.

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

i. *Deadline for filing comments, protests, and motions to intervene*: October 8, 2009.

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 (<http://www.ferc.gov>) under the "e-filing" link. The Commission strongly encourages electronic filings.

All documents (original and eight copies) filed by paper should be sent to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-4542-013) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, 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 any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

j. *Description of Existing Facilities*: The inoperative project consists of the following existing facilities: (1) A 150-foot-long and 10-foot-high wooden frame dam, which was breached by high flows which carried away a 30-foot-wide by 6-foot-deep section of the dam; (2) a forebay and trashracks; (3) a 56-inch-diameter and 7-foot-long penstock; (4) a concrete powerhouse with an installed capacity of 150 kW; (5) a 150-foot-long transmission line; and (6) other appurtenances.

k. *Description of Proceeding*: The exemptee is currently in violation of Standard Article 2 of its exemption granted on August 29, 1983 (24 FERC ¶ 62,240). 18 CFR 4.106 of the Commission's regulations provides, among other things, that the Commission reserves the right to revoke an exemption if any term or condition of the exemption is violated.

Standard Article 2 of the project exemption requires the exemptee to comply with any terms and conditions that the U.S. Fish and Wildlife Service (FWS), the National Marine Fisheries Service, and any state fish and wildlife agencies have determined are appropriate to prevent loss of, or damage to, fish or wildlife resources or otherwise to carry out the purposes of the Fish and Wildlife Coordination Act. To date, the exemptee has neither restored the project to operability nor complied with the directive of FWS to implement fish passage measures at the project.