

**Neversink Development**

(1) An existing 2,830-foot-long, 195-foot-high earthen Neversink Dam; (2) an existing reservoir having a surface area of 1,477.8 acres and a storage capacity of 112,000 acre-feet and normal water surface elevation of 1,440 feet mean sea level; (3) a proposed powerhouse containing two new generating units having an installed capacity of 1.65-megawatts; (4) a proposed tailrace; (5) a proposed 2,400-foot-long, 4.8-kilovolt transmission line; and (6) appurtenant facilities. The proposed Neversink Development would have an average annual generation of 7.79-gigawatt-hours.

**Pepacton Development**

(1) An existing 2,450-foot-long, 204-foot-high earthen Downsview Dam; (2) an existing reservoir having a surface area of 5,700 acres and a storage capacity of 441,000 acre-feet and normal water surface elevation of 1,280 feet mean sea level; (3) a proposed powerhouse containing two new generating units having an installed capacity of 3.1-megawatts; (4) a proposed tailrace; (5) an existing 800-foot-long, 46-kilovolt transmission line; and (6) appurtenant facilities. The proposed Pepacton Development would have an average annual generation of 9.04-gigawatt-hours.

**Schoharie Development**

(1) An existing 2,273-foot-long, 183-foot-high earthen Gilboa Dam; (2) an existing reservoir having a surface area of 1,130 acres and a storage capacity of 58,800 acre-feet and normal water surface elevation of 1,130 feet mean sea level; (3) four penstocks; (4) a powerhouse containing three new generating units having an installed capacity of 12.9-megawatts; (5) a tailrace; (6) a proposed 15,000-foot-long, 13.8-kilovolt transmission line; and (7) appurtenant facilities. The proposed Schoharie Development would have an average annual generation of 31.8-gigawatt-hours.

*Applicant Contact:* For West of Hudson Hydroelectric Project, Mr. Robert M. Loughney, Esq., Couch White, LLP, 540 Broadway, P.O. Box 22222, Albany, NY 12201, phone (518) 426-4600.

*FERC Contact:* Patricia W. Gillis, (202) 502-8735.

*Competing Application:* This application competes with Project No. 13222-000 filed May 9, 2008. Competing applications were required to be filed on or before September 18, 2008.

*Deadline for filing comments, motions to intervene:* 60 days from the issuance

of this notice. Comments and motions to intervene 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 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-13287-000) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

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

[FR Doc. E8-24706 Filed 10-16-08; 8:45 am]

**BILLING CODE 6717-01-P**

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

[Docket No. EL09-3-000]

**Ashburnham Municipal Light Plant; Boylston Municipal Light Department; Chester Municipal Electric Light Department; Groton Electric Light; Holden Municipal Light Department; Holyoke Gas & Electric Department; Paxton Municipal Light Department; Princeton Municipal Light Department; Shrewsbury Electric Light and Cable; Sterling Municipal Light Department; Templeton Municipal Light; West Boylston Municipal Light Plant; Westfield Gas & Electric; Chicopee Municipal Lighting Plant; Hudson Light & Power Department; South Hadley Electric Light Department; Massachusetts Municipal Wholesale Electric Company, Complainants v. Berkshire Power Company, LLC ISO New England Inc., Respondents; Notice of Complaint**

October 9, 2008.

Take notice that on October 8, 2008, Ashburnham Municipal Light Plant, Boylston Municipal Light Department, Chester Municipal Electric Light Department, Groton Electric Light, Holden Municipal Light Department, Holyoke Gas & Electric Department,

Paxton Municipal Light Department, Princeton Municipal Light Department, Shrewsbury Electric Light and Cable, Sterling Municipal Light Department, Templeton Municipal Light, West Boylston Municipal Light Plant, Westfield Gas & Electric, Chicopee Municipal Lighting Plant, Hudson Light & Power Department, South Hadley Electric Light Department, and Massachusetts Municipal Wholesale Electric Company (Complainants) filed, pursuant to section 206 of the Federal Power Act, 16 U.S.C. 824(e), 825(e), and Rule 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 CFR 385.206, a complaint against Berkshire Power Company (Berkshire) and ISO New England Inc. (ISO) alleging that Berkshire was no longer eligible to receive a Reliability Must Run agreement (RMR) and that the RMR agreement between Berkshire and the ISO should be terminated immediately.

The Complainants request fast track processing of the complaint.

The Complainants certifies that copies of the complaint were served on the contacts for Berkshire and the ISO.

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

Comment Date: 5 p.m. Eastern Time on November 7, 2008.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E8-24707 Filed 10-16-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2210-175-VA]

#### Appalachian Power Company; Notice of Availability of Environmental Assessment

October 10, 2008.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47879), the Office of Energy Projects has reviewed Appalachian Power Company's proposed water withdraw for the Smith Mountain Hydroelectric Project, located on the Roanoke River in Bedford, Campbell, Franklin, and Pittsylvania Counties, Virginia and has prepared an Environmental Assessment (EA).

On May 27, 2008 Appalachian Power Company (licensee), filed an application with the Federal Energy Regulatory Commission (Commission) for non-project use of project lands and waters. The EA contains the staff's analysis of the potential environmental effects of the proposed project and concludes that approval of the Proposed Action, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

Copies of the EA are available for review in Public Reference Room 2-A of the Commission's offices at 888 First Street, NE., Washington, DC. The EA may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-2210) excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E8-24658 Filed 10-16-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. ER96-1947-023 Docket Nos. ER96-1947-023 ER07-1000-002 ER02-1052-009]

#### LS Power Marketing, LLC, Las Vegas Power Company, West Georgia Generating Company, LLC; Notice of Filing

October 9, 2008.

Take notice that on June 30, 2008, LS Power Marketing, LLC; Las Vegas Power Company, and West Georgia Generating Company, LLC (collectively LS MBR Sellers) submit for filing a letter notifying the Commission that it will not be filing an updated power analysis for the Northeast Region, because none of the LS MBR Sellers own or control electric generation facilities or makes sales in the Northeast Region.

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 Applicant and all the parties in this proceeding.

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 on October 20, 2008.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E8-24708 Filed 10-16-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER09-33-000]

#### Barton Windpower II, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

October 10, 2008.

This is a supplemental notice in the above-referenced proceeding of Barton Windpower II, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 30, 2008.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the