

DEPARTMENT OF DEFENSE**Department of the Army****Corps of Engineers****Intent To Prepare A Draft Environmental Impact Statement (DEIS) for Navigation Improvements at Unalaska, AK**

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers, Alaska District, intends to prepare a DEIS for navigation improvements at Unalaska, Alaska. The city of Unalaska, population 4,283, is on Unalaska and Amaknak Islands in the Aleutian Island chain, about 800 miles (1,300 kilometers) southwest of Anchorage, Alaska. Unalaska's economy is based on commercial fishing, fish processing, and fleet services including fuel, repairs and maintenance, trade and transportation. Unalaska has been ranked as the number one port in the nation for seafood volume and value for the past 11 years. The proposed navigation improvements are needed to provide adequate moorage for transient vessels and the Unalaska fleet. Additional moorage would reduce overcrowded conditions at the existing facilities by providing a safer and more efficient moorage area.

FOR FURTHER INFORMATION CONTACT: Bill Abadie (907) 753-2736, Alaska District Corps of Engineers, Environmental Resources Section (CEPOA-EN-CW-ER), P.O. Box 898, Anchorage, AK 99506-0898. E-mail: william.d.abadie@poa02.usace.army.mil.

SUPPLEMENTARY INFORMATION: An environmental assessment (EA) was prepared titled "Navigation Improvements, Draft Feasibility Report, Environmental Assessment and Finding of No Significant Impact" dated August 2001. The U.S. Army Corps of Engineers subsequently concluded that the action would be a major Federal action that could significantly affect the quality of the human environment. The finding of no significant impact was not signed and a DEIS will be prepared. The DEIS will consider structural and non-structural alternatives including the construction of a breakwater, a dredged basin, and harbor related infrastructure. The August 2001 EA evaluated four alternatives in detail: Alternative 1—Dutch Harbor Site (Spit Site), Alternative 2A—Little South America Site (combination of floating and rubblemound breakwaters), Alternative

2B—Little South America (identical to Alternative 2A except a wave barrier was substituted for the north floating breakwater), and Alternative 3—Captains Bay site (Westward Seafoods Site). Other harbor locations and non-structural alternatives identified during the scoping process will be evaluated.

Issues

The DEIS will consider the needs of the community and commercial vessel operations, impacts to marine intertidal and subtidal communities, fish and wildlife, wetlands, threatened and endangered species, essential fish habitat, water quality, cultural resources, socio-economic resources, the need for practicable and justifiable mitigation, and other resources and concerns identified through scoping, public involvement, and interagency coordination.

Scoping

A copy of this notice and additional public information will be sent to interested parties to initiate scoping. All parties are invited to participate in the scoping process by identifying any additional concerns, issues, studies, and alternatives that should be considered. A scoping meeting will be held in Unalaska at the Grand Aleutian Hotel on Saturday, February 2, 2002, from 10 a.m. to 2 p.m. Significant issues include potential adverse impacts to Steller's eiders, a threatened species, and the justification and identification of compensatory mitigation. The DEIS is tentatively scheduled for release in June 2003.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

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DEPARTMENT OF ENERGY

[Docket No. EA-227-A]

Application To Export Electric Energy; New York Independent System Operator, Inc.

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: The New York Independent System Operator, Inc. (NYISO) has applied to modify and renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act. In addition, NYISO is requesting expedited approval for their application.

DATES: Comments, protests or requests to intervene must be submitted on or before December 17, 2001.

ADDRESSES: Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Im/Ex (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-287-5736).

FOR FURTHER INFORMATION CONTACT: Ellen Russell (Program Office) 202-586-9624 or Michael Skinker (Program Attorney) 202-586-2793.

SUPPLEMENTARY INFORMATION: Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)).

On October 16, 2001, the Office of Fossil Energy (FE) of the Department of Energy (DOE) received an application from NYISO to modify and renew the electricity export authorization issued in FE Order EA-227 on September 7, 2000. In that Order, FE authorized NYISO, the entity with operational control over generation and transmission facilities within New York State, to export emergency and inadvertent energy to Canada using the international transmission facilities owned and operated by Long Sault, Inc., New York Power Authority, and Niagara Mohawk Power Corporation. In Order EA-227, FE limited the NYISO's exports to Canada to an instantaneous rate of transmission of 1000 megawatts (MW). That two-year Order will expire on September 7, 2002.

FE had based this 1000-MW limit on data contained in Section IX of the document titled, "Load & Capacity Data, 1995 Report of the Member Electric Systems of the New York Power Pool." The updated version of that report for the year 2001 reflects a normal power transfer limit from New York to Ontario of 1675 MW, and an emergency transfer limit of 2150 MW for limited periods of time. In its application, the NYISO requests that FE Order EA-227 be amended to reflect these updated transfer limits and that the amended Order be issued for an additional 5-years.

In numerous electricity export authorizations in which third parties have been authorized to export over existing international transmission facilities that they do not own or operate, FE has indicated that any change to the export limits assigned to those existing facilities would apply to all entities authorized to export over those facilities. If FE ultimately

authorizes the increased export limits requested in this proceeding, those increased limits also would be available to all entities already authorized to use the affected international transmission facilities.

Procedural Matters

Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance with 385.211 or 385.214 of the FERC's rules of practice and procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with the DOE on or before the date listed above.

Comments on the NYISO application to export electric energy to Canada should be clearly marked with Docket EA-227. Additional copies are to be filed directly with Michael C. Calimano, Vice President Operations & Reliability, Robert Fernandez, General Counsel, New York Independent System Operator, Inc., 3890 Carman Road, Schenectady, NY 12303 and Arnold H. Quint, Hunton & Williams, 1900 K Street, NW., Suite 1200, Washington, DC 20006.

At the time this notice is being published, delivery of both regular and overnight mail to the Department of Energy headquarters building has been disrupted. DOE will consider facsimile transmissions to 202-287-5736, received before the closing date, as timely. Commenters should also submit original documents using traditional mail systems.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by the DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the Fossil Energy Home Page at <http://www.fe.doe.gov>. Upon reaching the Fossil Energy Home page, select "Electricity Regulation" and then "Pending Proceedings" from the options menus.

Issued in Washington, D.C., on November 26, 2001.

Anthony J. Como,

Deputy Director, Electric Power Regulation, Office of Coal & Power Im/Ex, Office of Coal & Power Systems, Office of Fossil Energy.

[FR Doc. 01-29758 Filed 11-29-01; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL02-25-000]

Intermountain Rural Electric Association, Complainant, v. Public Service Company of Colorado, Respondent; Notice of Complaint

November 26, 2001.

Take notice that on November 23, 2001, the Intermountain Rural Electric Association (IREA) tendered for filing a "Complaint And Request For Investigation And Refunds" against Public Service Company of Colorado (PSCO). IREA's Complaint alleges that PSCO has included costs in the Fuel Cost Adjustment charge under IREA's Power Purchase Agreement with PSCO, on file with the Commission as PSCO Rate Schedule FERC No. 51, which costs and charges are unjust, unreasonable, and unduly discriminatory, and therefore unlawful under the Federal Power Act. IREA seeks refunds, plus interest, of the alleged unlawful charges it has paid to PSCO and a Commission order requiring PSCO to revise its accounting procedures and power marketing activities or, in the alternative, a Commission investigation and hearing, with the outcome subject to refund.

Copies of the Complaint were served, simultaneous with filing with the Commission, on PSCO, its parent company Exel Energy, Inc., and the Public Utilities Commission of the State of Colorado.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest 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). All such motions or protests must be filed on or before December 13, 2001. 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 motion to intervene. Answers to the complaint

shall also be due on or before December 13, 2001. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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.

David P. Boergers,

Secretary.

[FR Doc. 01-29722 Filed 11-29-01; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG02-18-000]

Pedricktown Cogeneration Limited Partnership; Notice of Application for Commission Determination of Exempt Wholesale Generator Status

November 26, 2001.

Take notice that on October 31, 2001, Pedricktown Cogeneration Limited Partnership (Pedricktown) tendered for filing with the Federal Energy Regulatory Commission (Commission) an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations.

Pedricktown is a New Jersey limited partnership which owns and operates a steam combustion turbine with a total capacity of approximately 122 MW (the Facility). The Facility is located at 143 Highway 1320, Pedricktown, New Jersey 08067. Pedricktown also maintains certification as a qualifying cogeneration facility in accordance with the Commission's regulations and will continue to do so in conjunction with the EWG status requested in this application.

Any person desiring to be heard concerning the application for exempt wholesale generator status should file a motion to intervene or comments 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). The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application. All such motions and