

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Application Accepted for Filing and Soliciting Motions To Intervene, Protests, and Comments**

November 18, 2002.

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

- a. *Type of Application*: Non-project use of project lands-Excavation Proposal.
- b. *Project No.*: P-2177-052.
- c. *Date filed*: October 25, 2002.
- d. *Applicant*: Georgia Power Company.
- e. *Name and Location of Project*: Middle Chattahoochee Project located on Lake Oliver in Lee County, Alabama.
- f. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. §§ 791(a)—825(r).
- g. *Applicant Contact*: William Glisson, Senior Land Management Specialist, Georgia Power Company, 1516 Bartletts Ferry Road, Fortson, Georgia 31808 (706) 322-0228.
- h. *FERC Contact*: Elizabeth Jones (202) 502-8246.

i. *Deadline for filing comments, protests, and motions to intervene*: December 13, 2002.

All documents (original and eight copies) should be filed with: Magalie R. Salas, 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-2177-052) 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 in 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.

j. *Description of Filing*: Georgia Power Company is requesting Commission approval to grant a permit to Mr. Steve Atchley (permittee) to excavate 2,500 cubic yards of material. The excavation site is at Lake Oliver in a slough

adjacent to River Oak Way in Phenix City, Alabama. The excavation would occur during drawdown conditions. The material would be deposited on an upland site located away from the Lake.

k. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at <http://www.ferc.gov> using the "FERRIS" 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.

l. *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.

m. *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", "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.

n. *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.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

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

[Project No. 469-013]

**Notice Extending Deadline for Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions**

November 18, 2002.

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

a. *Type of Application*: New Major License.

b. *Project No.*: 469-013.

c. *Date filed*: October 30, 2001.

d. *Applicant*: ALLETE, Inc., d.b.a. Minnesota Power Inc.

e. *Name of Project*: Winton Hydroelectric Project.

f. *Location*: On the Kawishiwi River, near the Town of Ely, in Lake and St. Louis Counties, Minnesota. The project occupies federal lands within the Superior National Forest.

g. *Filed Pursuant to*: Federal Power Act 16 U.S.C. 791 (a)—825(r)

h. *Applicant Contact*: John Paulson, Minnesota Power, 30 West Superior Street, Duluth, MN 55802, [jpaulson@mnpower.com](mailto:jpaulson@mnpower.com), 218-722-5642, ext. 3569.

i. *FERC Contact*: Tom Dean, [thomas.dean@ferc.gov](mailto:thomas.dean@ferc.gov), 202-502-6041.

j. In letters dated October 17, 2002, from the U.S. Forest Service, October 18, 2002, from the Minnesota Department of Natural Resources and the Conservationists With Common Sense, and October 21, 2002, from Minnesota Power requested an extension of time until February 14, 2002, to complete a Settlement Agreement (SA) and accompanying Explanatory Statement (ES), and to file comments, recommendations, terms and conditions, and prescriptions in response to a notice ready for environmental analysis (REA) issued on September 13, 2002. The REA notice set the deadline for filing comments and recommendations 60 days from the issuance date of the notice, or November 11, 2002.

The Commission is committed to processing license applications in a