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**Linda Mitry,**

*Acting Secretary.*

[FR Doc. E4-2324 Filed 9-22-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application for Amendment of Exemption and Soliciting Comments, Motions To Intervene, and Protests

September 16, 2004.

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

a. *Type of Application:* Amendment of exemption to relocate the damaged powerhouse of the Burton Creek Project to a safe location.

b. *Project No:* 7577-010.

c. *Date Filed:* August 31, 2004.

d. *Applicant:* Burton Creek Hydro, Inc.

e. *Name of Project:* Burton Creek Project.

f. *Location:* The project is located on the Burton Creek in Lewis County, Washington.

g. *Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Mr. Gene Peters, PO Box 401, Glenoma, WA 98336; (360) 498-5519.

i. *FERC Contact:* Any questions on this notice should be addressed to Mr. Vedula Sarma at (202) 502-6190, or e-mail address: [vedula.sarma@ferc.gov](mailto:vedula.sarma@ferc.gov).

j. *Deadline for filing comments and or motions:* October 18, 2004.

k. *Description of Request:* Burton Creek Hydro, Inc. proposes to relocate the powerhouse damaged by a landslide to a safe location. The existing penstock would be extended approximately 800 feet in the bypass reach to a new powerhouse location. The exemptee proposes to use the same equipment, and utilize same amount of water except for 0.5 cfs to increase the volume of water in the bypass to 2 cfs as required by the State of Washington Department of Fish and Wildlife. Power output of the project may increase by 50 kW due to static head.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be

viewed on the Commission's Web site at <http://www.ferc.gov> using the “eLibrary” link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *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.

o. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title “COMMENTS”, “RECOMMENDATIONS FOR TERMS AND CONDITIONS”, “PROTEST”, or “MOTION TO INTERVENE”, as applicable, and the Project Number of the particular application to which the filing refers. 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. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. *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.

q. 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 at <http://www.ferc.gov> under the “e-Filing” link.

**Linda Mitry,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP04-274-000]

#### Kern River Gas Transmission Company, Notice of Informal Settlement Conference

September 16, 2004.

Take notice that an informal settlement conference will be convened in this proceeding commencing at 10 a.m. (e.s.t.) on Tuesday, September 28, 2004, continuing through Wednesday, September 29, 2004 at the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, for the purpose of exploring the possible settlement of the above-referenced docket.

Any party, as defined by 18 CFR 385.102(c), or any participant as defined by 18 CFR 385.102(b), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214).

For additional information, please contact Thomas J. Burgess (202) 502-6058.

**Linda Mitry,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP03-542-000]

#### Texas Eastern Transmission, L.P.; Notice of Informal Settlement Conference

September 16, 2004.

Take notice that an informal settlement conference will be convened in this proceeding commencing at 2 p.m. (e.s.t.) on Wednesday, September 22, 2004, at the office of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, for the purpose of exploring the possible