

needed to interconnect PEF's generating facility to SCE electrical system.

SCE respectfully requests the Revised Sheets become effective on September 17, 2002. Copies of this filing were served upon the Public Utilities Commission of the State of California and PEF.

*Comment Date:* October 7, 2002.

#### **8. CenterPoint Energy Houston Electric, LLC**

[Docket No. ER02-2555-000]

Take notice that on September 16, 2002, CenterPoint Energy Houston Electric, LLC (CenterPoint Houston) tendered for filing a Notice of Succession, along with a revised Transmission Service Tariff for Transmission Service To, From and Over Certain Interconnections, reflecting CenterPoint Houston's exact name. As a result of a change in its name and corporate organization, CenterPoint Houston is succeeding to the FERC Electric Tariff, Fourth Revised Volume No. 1 of Reliant Energy HL&P, effective August 31, 2002.

*Comment Date:* October 7, 2002.

#### **9. Oswego Harbor Power LLC**

[Docket No. ER02-2556-000]

Take notice that on September 16, 2002, Oswego Harbor Power LLC (Oswego) filed under section 205 of the Federal Power Act, Part 35 of the regulations of the Federal Energy Regulatory Commission (Commission), and Commission Order No. 614, a request that the Commission (1) accept for filing a revised market-based rate tariff; (2) waive any obligation to submit a red-lined version of the currently effective tariff; and (3) grant any waivers necessary to make the revised tariff sheets effective as soon as possible, but no later than 60 days from the date of this filing. Oswego's proposed tariff revisions merely seek to properly designate, update and conform the tariff to a format like those that the Commission has approved for Oswego affiliates.

*Comment Date:* October 7, 2002.

#### **10. Orion Power MidWest, L.P.**

[Docket No. ER02-2557-000]

Take notice that on September 16, 2002, Orion Power MidWest, L.P. (Orion) submitted a Notice of Termination pursuant to Section 35.15 of the Commission's Regulations, 18 CFR 35.15 (2002). Orion states that its Ancillary Services Agreement and Capacity Agreement with Duquesne Light Company, accepted for filing in Docket Nos. ER02-2108-000 and ER02-2109-000, respectively, on July 26,

2002, terminated by their own terms at midnight on August 14, 2002.

*Comment Date:* October 7, 2002.

#### **11. SWEPI LP**

[Docket No. ER02-2558-000 (Kalkaska)]

Take notice that on September 17, 2002, SWEPI LP (SWEPI), a limited partnership organized under the laws of Delaware, petitioned the Commission for acceptance of its market-based rate tariff, waiver of certain requirements under Subparts B and C of Part 35 of the Commission's regulations, and the granting of waivers and blanket approvals normally accorded sellers permitted to sell at market-based rates. SWEPI proposes to sell up to 4 MW of power from its generation facility located in Kalkaska, Michigan.

*Comment Date:* October 8, 2002.

#### **Standard Paragraph**

E. Any person desiring to intervene or to protest this filing 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). 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. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "RIMS" link, select "Docket #" and follow the instructions (call 202-208-2222 for assistance). 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.

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

*Deputy Secretary.*

[FR Doc. 02-24694 Filed 9-27-02; 8:45 am]

**BILLING CODE 6717-01-P**

## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

[Docket No. CP02-434-000]

#### **ANR Pipeline Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed WESTLEG Project and Request for Comments on Environmental Issues**

September 23, 2002.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the WestLeg Project involving construction and operation of facilities by ANR Pipeline Company (ANR) in McHenry County, Illinois and Walworth and Rock Counties, Wisconsin.<sup>1</sup> These facilities would consist of about 32.8 miles of replacement pipeline and new pipeline loop, as described below. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice ANR provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet Web site (<http://www.ferc.gov>).

#### **Summary of the Proposed Project**

The proposed facilities would provide total mainline capacity of 220,000 dekatherms/day to meet local distribution company demand growth in Rock and Dane Counties, Wisconsin,

<sup>1</sup> ANR's application was filed with the Commission under section 7 of the Natural Gas Act and part 157 of the Commission's regulations.

and to serve existing customer needs in the general Janesville, Wisconsin area.

ANR requests authorization to construct 26.3 miles of 30-inch-diameter pipeline loop through McHenry County, Illinois and Walworth and to Rock Counties, Wisconsin. ANR also proposes to abandon by removal two small diameter (4 and 6 inches) lateral pipelines and replace them with a new 20-inch-diameter lateral. This lateral would extend for about 6.5 miles in Rock County.

One new meter station would be required, adjacent to an existing metering facility. In addition, ANR would upgrade a second meter station and recalibrate a third. One new mainline valve would be installed and six others modified.

The location of the project facilities is shown in appendix 1.<sup>2</sup>

### Land Requirements for Construction

Construction of the proposed facilities would require about 517 acres of land, including construction right-of-way, temporary extra work spaces, pipe storage and contractor yards, and access roads. Following construction, about 195 acres would be used for pipeline operation. Because this project consists of pipeline looping, replacement, and meter station expansion/modification within or adjacent to existing right-of-way, only about 12 acres of new permanent right-of-way would be required.

Over 90 percent of the land crossed by the facilities would be agricultural land. Other land uses that would be crossed include forested land and open land.

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us<sup>3</sup> to discover and address concerns the public may have about proposals. This process is referred to as "scoping." The main goal of the scoping process is to focus the analysis in the EA on the

important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

Geology and soils  
Water resources, fisheries, and wetlands  
Vegetation and wildlife  
Cultural resources  
Land use  
Endangered and threatened species  
Air quality and noise  
Public safety

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by ANR. This preliminary list of issues may be changed based on your comments and our analysis.

Crossings of high value surface waterbodies, including those that contain sensitive species.

Permanent conversion of 0.32 acre of forested wetland to new right-of-way.

Crossing adjacent to or through the Alden Sedge Meadow Natural Area, a Wisconsin Department of Natural

Resources (WDNR) public hunting area, and the WDNR Turtle Creek Wildlife Area (which contains federally and state-listed plants).

Also, we have made a preliminary decision to not address the impacts of nonjurisdictional facilities. We will briefly describe their location and status in the EA.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentator, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal, and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

Send an original and two copies of your letter to: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First St. NE.; Room 1A, Washington, DC 20426.

Label one copy of the comments for the attention of Gas Branch 1.

Reference Docket No. CP02-434-000.

Mail your comments so that they will be received in Washington, DC on or before October 28, 2002.

Please note that we are continuing to experience delays in mail deliveries from the U.S. Postal Service. As a result, we will include all comments that we receive within a reasonable time frame in our environmental analysis of this project. However, the Commission strongly encourages electronic filing of any comments or interventions or protests to this proceeding. 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 and the link to the User's Guide. Before you can file comments you will need to create a free account which can be created by clicking on "Login to File" and then "New User Account."

### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor." Intervenor play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission's Web site (<http://www.ferc.gov>) at the "FERRIS" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE; Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to FERRIS refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>3</sup> "We," "us," and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2).<sup>4</sup> Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

#### Environmental Mailing List

This notice is being sent to individuals, organizations, and government entities interested in and/or potentially affected by the proposed project. It is also being sent to all identified potential right-of-way grantors. By this notice we are also asking governmental agencies, especially those in appendix 3, to express their interest in becoming cooperating agencies for the preparation of the EA.

#### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<http://www.ferc.gov>) using the FERRIS link. Click on the FERRIS link, enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance with FERRIS, the FERRIS helpline can be reached at (202) 502-8222, TTY (202) 502-8659. The FERRIS link on the FERC Internet Web site also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

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

*Deputy Secretary.*

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**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP01-415-000]

#### East Tennessee Natural Gas Company; Notice of Availability of the Final Environmental Impact Statement for the Proposed Patriot Project

September 23, 2002.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a Final Environmental Impact Statement (FEIS) on the natural gas pipeline facilities proposed by East Tennessee Natural Gas Company (East Tennessee) in the above-referenced docket.

The FEIS was prepared to satisfy the requirements of the National Environmental Policy Act. The staff concludes that approval of the proposed project with the appropriate mitigating measures as recommended, would have limited adverse environmental impact. The FEIS also evaluates alternatives to the proposal, including systems alternatives; major route alternatives; and route variations.

The FEIS assesses the potential environmental effects of the construction and operation of the following Patriot Project facilities, which consists of three components, the Mainline Expansion, the Patriot Extension, and the TVA Project facilities. East Tennessee proposes to expand its existing mainline pipelines in Tennessee and Virginia and extend a new pipeline from Virginia into North Carolina.

The Mainline Expansion involves improvements along East Tennessee's existing pipeline in Tennessee and Virginia, and includes construction of:

- Approximately 73.6 miles of new pipeline loops;

- Approximately 22.5 miles of pipeline abandonment and re-lay;

- Approximately 71.3 miles of pipeline uprates;

- Five new compressor stations (CS) and modifications at nine existing compressor stations, with a net increase in compression totaling 58,795 horsepower (hp); and

- Associated mainline valves, piping, and other appurtenant pipeline facilities.

The Patriot Extension involves new pipeline facilities in Virginia and North Carolina, and includes construction of:

- Approximately 92.7 miles of new pipeline (Line 3600), extending from the East Tennessee mainline in Virginia to a terminus at the Transcontinental Gas

Pipe Line Corporation's (Transco) mainline pipeline in North Carolina;

- Approximately 7.0 miles of new pipeline (Henry County Power Lateral [HCP Lateral]), extending from the Patriot Extension in North Carolina to the Henry County Power LLC (Henry County Power) energy facility in Virginia;

- Three new meter stations;
- Twenty pipeline taps; and
- Associated mainline valves and appurtenant pipeline facilities.

The previously analyzed TVA Project facilities that are proposed to be incorporated into the Patriot Project include:

- 8.7 miles of pipeline loops;
- 5.4 miles of pipeline uprates;
- 1,590 hp of compression at an existing compressor station (CS 3206) on Line 3200; and

- Installation of aerodynamic assemblies at two compressor stations (CSs 3206 and 3209) on Line 3200.

The purpose of the project is to provide natural gas to three electricity generation facilities (The Duke North America [DENA] Murray generating facility, DENA Wythe, LLC [DENA Wythe] energy project, and Henry County Power, LLC [Henry County Power] energy project) and interconnect with the existing Transco's 24-inch-diameter mainline in North Carolina. The Patriot Project is designed to initially transport 130,000 dekatherms per day (dth/day) of natural gas with an ultimate delivery capacity of 510,000 dth/day.

The FEIS has been placed in the public files of the FERC and is available for public inspection at: Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, 888 First Street, NE, Room 2A, Washington, DC 20426, (202) 502-8371.

A limited number of copies of the FEIS are available from the Public Reference and Files Maintenance Branch identified above. Copies of the FEIS have been mailed to Federal, state and local agencies, public interest groups, individuals who have requested the FEIS, newspapers, and parties to this proceeding.

In accordance with the Council on Environmental Quality's (CEQ) regulations implementing the National Environmental Policy Act, no agency decision on a proposed action may be made until 30 days after the U.S. Environmental Protection Agency publishes a notice of availability of an FEIS. However, the CEQ regulations provide an exception to this rule when an agency decision is subject to a formal internal appeal process which allows other agencies or the public to make

<sup>4</sup> Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.