

d. *Submitted By*: New York Tidal Energy Company.

e. *Name of Project*: East River Tidal Energy Pilot Project.

f. *Location*: In the East River at Hell Gate, in New York City, New York. The project would not occupy Federal lands.

g. *Filed Pursuant to*: 18 CFR 5.3 of the Commission's regulations.

h. *Applicant Contact*: Daniel Power, Oceana Energy Company, 1785 Massachusetts Avenue, NW., Suite 100, Washington, DC 20036; phone: (202) 465-6405.

i. *FERC Contact*: Timothy Konnert (202) 502-6359.

j. *New York Tidal Energy Company (NYTEC) has filed with the Commission*: (1) A notice of intent (NOI) to file an application for a pilot hydrokinetic hydropower project and a draft license application with monitoring plans; (2) a request for waivers of certain Integrated Licensing Process (ILP) regulations necessary for expedited processing of a license application for a hydrokinetic pilot project; (3) a proposed process

plan and schedule; and (4) a request to be designated as the non-Federal representative for section 7 of the Endangered Species Act (ESA) consultation and for section 106 consultation under the National Historic Preservation Act.

k. A notice was issued on June 10, 2009 soliciting comments on the draft license application from agencies and stakeholders. Comments were filed by Federal and State agencies, and non-governmental organizations. No comments were filed opposing the request to waive the integrated licensing process regulations or the proposed process plan and schedule.

l. The June 10, 2009 notice approved NYTEC's request to be designated as the non-Federal representative for section 7 of the ESA with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, and its request to initiate consultation under section 106 of the National Historic Preservation Act with the New York State Historic Preservation Officer.

m. The proposed East River Tidal Energy Pilot Project would consist of: (1) A 2-meter-diameter 20-kilowatt (kW) capacity hydrokinetic device during Phase 1, which would be replaced by a 6-meter-diameter 200-kW device in Phase 2; (2) a 1,300-foot-long transmission cable that would interconnect with the existing Wards Island Park System; and (3) appurtenant facilities for operating and maintaining the project. Based on the proposed 250 hours of testing operation per-year, the project is estimated to have an annual generation of 5 megawatt-hours per-year, which would be sold to a local utility.

n. The pre-filing process has been concluded and the requisite regulations have been waived such that the process and schedule indicated below can be implemented.

o. *Post-filing process schedule*. The post-filing process will be conducted pursuant to the following schedule. Revisions to the schedule may be made as needed.

Milestones	Dates
Final license application expected .....	January 31, 2011.
Issue notice of acceptance and ready for environmental analysis and request for interventions .....	February 15, 2011.
Issue biological assessment .....	February 15, 2011.
Comments and interventions due .....	March 17, 2011.
Issue notice of availability of environmental assessment .....	May 16, 2011.
Comments due and 10(j) resolution, if needed .....	June 15, 2011.

p. Register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2010-28914 Filed 11-16-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP11-17-000]

#### El Paso Natural Gas Company; Notice of Application

November 9, 2010.

Take notice that on October 29, 2010, El Paso Natural Gas Company (EPNG), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in the above referenced docket an application, pursuant to section 7(c)(1)(b) of the Natural Gas Act (NGA) and Rule 207(a)(5) of the Commission's

regulations, requesting the temporary deactivation of sixteen compressor units on its South Mainline System in Arizona and New Mexico and five compressor units on its San Juan Triangle and North Mainline System in Arizona and New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site Web 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. For assistance, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

Any questions concerning this application may be directed to Susan C. Stires, Director, Regulatory Affairs, El Paso Natural Gas Company, P.O. Box 1087, Colorado Springs, Colorado 80944 at (719) 667-7514 or by fax at (719) 667-7534.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the

Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify Federal and State agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all Federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426,

a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made in the proceeding with the Commission and must mail a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, 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 online 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](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* November 30, 2010.

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

[FR Doc. 2010-28910 Filed 11-16-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13875-000]

#### **Clean River Power 16, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications**

November 8, 2010.

On October 22, 2010, Clean River Power 16, LLC filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Kitano Water Power Project, located in Kauai County, in the state of Hawaii. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following developments:

(1) The existing Kokee Ditch Irrigation System comprised of multiple intakes, two reservoirs, and a series of ditches and tunnels; (2) a new upper intake including a trashrack and control gate; (3) a new 26,700-foot-long, 36-inch-diameter steel penstock; (4) a proposed 40-foot-long and 75-foot-wide upper powerhouse made with reinforced concrete; (5) a 4 MVA 4.16/695kV three-phase step-up transformer located in a switchyard 50 feet from the powerhouse; (6) dependent on the results of the proposed studies, a new 2-mile transmission line interconnecting with the existing utility transmission

line between the Kahaka switchyard and the Kaumakani substation; (7) The proposed development would have an average annual generation of 23,100 megawatt-hours.

*Applicant Contact:* Daniel Irvin, CEO, Free Flow Power Corporation, 33 Commercial Street, Gloucester, MA 01930; *phone:* (978) 252-7631.

*FERC Contact:* Mary Greene, 202-502-8865.

*Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications:* 60 days from the issuance of this notice.

Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "eComment." For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov); call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

More information about this project, including a copy of the application, 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-13875) in the docket number field to access the document. For assistance, contact FERC Online Support.

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

[FR Doc. 2010-28908 Filed 11-16-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 3041-004]

#### **Mackay Bar Corporation; Notice of Authorization for Continued Project Operation**

November 9, 2010.

On April 28, 2008 the Mackay Bar Corporation, licensee for the Hettinger Hydroelectric Project, filed an Application to Surrender its License as