

radiological release. These systems are expected to be classified as safety-class or safety-significant as required by a conservative application of DOE-approved methodology, and should be designed and maintained to function during abnormal and accident conditions. Exceptions to such classifications should be approved at a level in DOE that ensures a consistent, conservative approach throughout the complex.

2. Disallow reliance on passive confinement systems and require an active confinement ventilation system for all new and existing Hazard Category 3 defense nuclear facilities with the potential for a radiological release. These systems would not ordinarily be classified as safety-class or safety-significant unless such designation is required by the DOE-approved methodology.

3. Revise all applicable DOE directives pertaining to operation of existing facilities, design and construction of new facilities, and major modifications to existing facilities, in accordance with Items 1 and 2 above. These revisions should include guidance for determining when a facility would not benefit from an active confinement ventilation system.

4. Assess existing facilities, ongoing major modifications, and new design/construction projects, to ensure that:

- (a) The confinement strategy described above is implemented, and
- (b) The 25 rem evaluation guideline is used solely for classification of safety controls.

Section 42 U.S.C. 2286d(e) provides authority to the Secretary of Energy to "implement any such Recommendation (or part of any such Recommendation) before, on, or after the date on which the Secretary of Energy transmits the implementation plan to the Board under this subsection." The Board suggests that the Secretary of Energy consider taking action on Item 4 above in parallel with the development of an Implementation Plan for this Recommendation.

In addition, the Board's Recommendation 2004-1, *Oversight of Complex, High-Hazard Nuclear Operations*, addresses the need for complex-wide consistency in the application of DOE requirements and expectations. The Board expects the mechanisms established in response to Recommendation 2004-1 would likewise ensure consistent, conservative implementation of the confinement requirement provided here.

**John T. Conway,**  
Chairman.

[FR Doc. 04-27426 Filed 12-14-04; 8:45 am]

BILLING CODE 3670-01-P

## DEPARTMENT OF ENERGY

[Docket No. EA-274-A]

### Application To Export Electric Energy; Wisconsin Public Service Corporation

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of application.

**SUMMARY:** Wisconsin Public Service Corporation (WPSC) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests or requests to intervene must be submitted on or before January 14, 2005.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Import/Export (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:** Xavier Puslowski (Program Office) 202-586-4708 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 February 6, 2003, the Office of Fossil Energy (FE) of the Department of Energy (DOE) issued Order No. EA-274 authorizing WPSC to transmit electric energy from the United States to Canada as a power marketer. That two year authorization will expire on February 6, 2005.

On November 30, 2004, FE received an application from WPSC to renew its authorization to transmit electric energy from the United States to Canada for a five-year term. WPSC proposes to arrange for the delivery of those exports over the international transmission facilities owned by Basin Electric Power Cooperative, Bonneville Power Administration, Eastern Maine Electric Cooperative, International Transmission Company, Joint Owners of the Highgate Project, Long Sault, Inc., Maine Electric Power Company, Maine Public Service Company, Minnesota Power, Inc., Minnkota Power Cooperative, New York Power Authority, Niagara Mohawk Power Corporation, Northern States Power, Vermont Electric Company and Vermont Electric Transmission Company.

The construction of each of the international transmission facilities to be utilized by WPSC, as more fully described in the application, has previously been authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

**Procedural Matters:** Any person desiring to become a party to these proceedings 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 dates listed above.

Comments on the WPSC application to export electric energy to Canada should be clearly marked with Docket EA-274-A. Additional copies are to be filed directly with Dennis M. Derricks, Director, Regulatory Policy & Analysis, Wisconsin Public Service Corporation, 700 North Adams Street, P.O. Box 19001, Green Bay, WI 54307-9001, and David Martin Connelly, Esquire, Bruder, Gentile & Marcoux, L.L.P., 1701 Pennsylvania Avenue, NW., Suite 900, Washington, DC 20006-15807.

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, DC, on December 8, 2004.

**Anthony J. Como,**

*Deputy Director, Electric Power Regulation, Office of Fossil Energy.*

[FR Doc. 04-27416 Filed 12-14-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

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

December 9, 2004.

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

- a. *Application Type:* Amendment of License to Reflect Terms and Conditions of Settlement Agreement.
- b. *Project No:* 2360-144.
- c. *Date Filed:* November 12, 2004.
- d. *Applicant:* ALLETE, Inc.
- e. *Name of Project:* St. Louis Project.
- f. *Location:* The project is located on the St. Louis, Beaver, and Cloquet Rivers in Carlton and St. Louis Counties, Minnesota.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a) 825(r) and sections 799 and 801.
- h. *Applicant Contact:* Ingrid K. Johnson, Assistant General Council,

(218) 723-3956 or Brian J. McManus, Jones Day, (202) 879-5452).

i. *FERC Contact*: Any questions on this notice should be addressed to Ms. Rebecca Martin at (202) 502-6012, or e-mail address: [Rebecca.martin@ferc.gov](mailto:Rebecca.martin@ferc.gov).

j. *Deadline for filing comments and or motions*: January 10, 2005.

All documents (original and eight copies) should be filed with: Ms. Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington DC 20426. Please include the project number (P-2360-144) on any comments or motions filed. 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. The Commission strongly encourages e-filings.

k. *Description of Request*: ALLETE is requesting an amendment to its license to reflect the terms and conditions of the Settlement Agreement reached by the licensee with the Fond du Lac Band of Lake Superior Chippewa and the United States Department of the Interior.

l. *Location of the Application*: This filing is available for review at the Commission in the Public Reference Room 888 First Street, NE., Room 2A, Washington, DC 20426 or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "e-library" 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. 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. 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 applications. Copies of the applications 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.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-3654 Filed 12-14-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ES05-14-000]

#### Aquila, Inc.; Notice of Filing

December 9, 2004.

Take notice that on December 3, 2004, Aquila, Inc. submitted an application pursuant to section 204 of the Federal Power Act seeking authorization to issue up to \$330 million of long-term, unsecured debt in the form of borrowings under two existing credit facilities.

Any person desiring to intervene or to protest this filing must file 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. On or before the comment date, it is not necessary to serve motions to intervene

or protests on persons other than the Applicant.

The Commission encourages electronic submission of 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 on-line 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*: 5 p.m. eastern time on December 27, 2004.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-3664 Filed 12-14-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Intent To File Application for a Small Conduit Exemption From Licensing

December 9, 2004.

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

a. *Type of Filing*: Notice of intent to file an application for a small conduit exemption from licensing.

b. *Project No.*: 1005-000.

c. *Date Filed*: August 30, 2004.

d. *Submitted by*: City of Boulder.

e. *Name of Project*: Boulder Canyon.

f. *Location*: The project is located on Boulder Creek, in Boulder County near the City of Boulder, Colorado. The project occupies about 36 acres of U.S. Forest Service lands within the Roosevelt National Forest.

g. *Filed Pursuant to*: Section 15 of the Federal Power Act, 18 CFR 16.6.

h. *Effective Date of Current License*: April 1, 1962.

i. *Expiration Date of Current License*: August 31, 2009.

j. *Project Description*: The project encompasses Barker Dam and Reservoir,