

the Commission's regulations, 18 CFR part 161 (2003).

Guardian Pipeline, L.L.C. states that it served copies of the filing on all customers and interested state commissions.

*Comment Date:* October 10, 2003.

#### 16. Hershey Foods Corporation

[Docket Nos. QF85-250-001 and ER03-1159-000]

Take notice that on September 22, 2003, Hershey Foods Corporation (Hershey) tendered for filing that its Oakdale, California cogeneration facility, previously certified as a qualifying cogeneration facility under the Public Utility Regulatory Policies Act, is not currently being operated in a manner that satisfies the Qualifying Facility operating and efficiency standards specified in the Commission regulations, 18 CFR 292.205. Hershey requests that the Commission accept this withdrawal of certification.

*Comment Date:* October 22, 2003.

#### 17. Three Rivers Energy LLC

[Docket No. RT03-2-000]

Take notice that on September 17, 2003, Three Rivers Energy LLC filed an abbreviated alternate filing pursuant to Sections 35.34 (c) (2) and 35.34(g) of the Commission's regulations.

*Comment Date:* October 8, 2003.

#### Standard Paragraph

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 "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. 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.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. 03-25018 Filed 10-2-03; 8:45 am]

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Project No. 12464-000]

##### Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

September 26, 2003.

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

- a. *Type of Application:* Preliminary Permit.
- b. *Project No:* 12464-000.
- c. *Date Filed:* August 6, 2003.
- d. *Applicant:* Erie Boulevard Power, L.P.
- e. *Name of Project:* Stuyvesant Falls Project.
- f. *Location:* The proposed project would be located on Kinderhook Creek in Columbia County, New York.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C.791(a)-825(r).
- h. *Applicant Contacts:* Jerry Sebattis, Erie Boulevard Power, L.P., 225 Greenfield Parkway, Suite 201, Liverpool, NY 13088, (315) 413-2787.
- i. *FERC Contact:* Mr. Robert W. Bell, (202) 502-6062.
- j. *Deadline for filing motions to intervene, protests and comments:* 60 days from the issuance date of this notice.

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-12464-000) 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.

k. *Competing Application:* Project No. 12438-000 and 12439-000, *Date Filed:* February 3, 2003, *Date Issued:* June 9, 2003, *Due Date:* August 9, 2003.

l. *Description of Project:* The proposed project would consist of: (1) An existing 240-foot-long, 13-foot-high, Masonry gravity dam, (2) an existing impoundment, with a surface area of 46 acres and negligible storage at normal water surface elevation 174.3 feet USGS, (3) a proposed 3,250-foot-long, 10-foot-diameter steel pipe, (4) an existing 25-foot-diameter surge tank, (5) an existing powerhouse containing 2 new and 1 upgraded generating units having a total installed capacity of 11,100 KW, and (6) appurtenant facilities. The project would have an average annual generation of 14.86 gigawatt hours.

m. *Locations of Applications:* A copy of the application is available for inspection and reproduction at the Commission in the 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. 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.

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

o. *Competing Applications*—Public notice of the filing of the initial preliminary permit application, which has already been given, established the due date for filing competing preliminary permit applications or notices of intent. Any competing preliminary permit or development application or notice of intent to file a competing preliminary permit or development application must be filed in response to and in compliance with the public notice of the initial preliminary permit application. No competing applications or notices of intent to file competing applications may be filed in response to this notice. A competing license application must conform with 18 CFR 4.30 (b) and 4.36.