

- Send an original and two copies of your comments to: 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, PJ 11.1;
- Reference Docket No. CP02–380–000; and
- Mail your comments so that they will be received in Washington, DC on or before March 7, 2003.

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."

Comments will be considered by the Commission but will not serve to make the commentor a party to the proceeding. Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to rule 214 of the Commission's rules of practice and procedures (18 CFR 385.214).<sup>1</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 comments considered.

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 1–866–208–3676, TTY (202) 502–8659 or at [FERConlineSupport@ferc.gov](mailto:FERConlineSupport@ferc.gov). 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.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 03–3354 Filed 2–10–03; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Tendered for Filing With the Commission, Soliciting Additional Study Requests, and Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

February 5, 2003.

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

a. *Type of Application:* Subsequent License for a Minor Water Power Project.

b. *Project No.:* P–7264–010.

c. *Date filed:* January 22, 2003.

d. *Applicant:* Fox River Paper Company and N.E.W. Hydro, Inc.

e. *Name of Project:* Middle Appleton Dam Hydroelectric Project.

f. *Location:* On the Lower Fox River, Outagamie County, Wisconsin. This project would not use Federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)—825(r).

h. *Applicant Contact:* Mr. John Ramer, Manager, Fox River Paper Company, P.O. Box 2215, Appleton, Wisconsin 54913, 920–733–7341 or Mr. Arie DeWaal, Mead and Hunt, Inc., 6501 Watts Road, Madison, Wisconsin 53719, 608–273–6380.

i. *FERC Contact:* John Ramer, [john.ramer@ferc.gov](mailto:john.ramer@ferc.gov), (202) 502–8969.

j. *Cooperating Agencies:* We are asking Federal, State, and local agencies and Indian tribes with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing comments described in item k below.

k. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian tribe, or person believes that an additional scientific study should be conducted in order to form an factual basis for complete analysis of the application on its merit, the resource agency, Indian

tribe, or person must file a request for a study with the Commission not later than 60 days after the application filing (*i.e.*, by March 22, 2003) and serve a copy of the request on the applicant.

l. *Deadline for filing additional study requests and requests for cooperating agency status:* March 22, 2003.

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.

The Commission's rules of practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor 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.

Additional study requests may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filing. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "eFiling" link. After logging into the eFiling system, select "Comment on Filing" from the Filing Type Selection screen and continue with the filing process.

m. The application is not ready for environmental analysis at this time.

n. *Project Description:* The Middle Appleton Dam Hydroelectric Project consists of the following existing facilities: (1) A 372-foot-long by about 20-foot-high dam, topped with 15 functional and one non-functional, 20-foot-wide by 10-foot-high, steel Taintor gates; (2) a 35.5-acre reservoir with a gross storage capacity of about 195-acre feet; (3) two power channels, one about 500-feet-long by 40-foot-wide, and another 1700-foot-long and from 120 foot-to 200 foot-wide; (4) three powerhouses containing seven open-flume Francis turbines with a total maximum hydraulic capacity of 1,650 cubic feet per second (cfs) and seven generating units with a total installed generating capacity of 1,190 kilowatts (kW) and producing a total of 8,635,000 kilowatt hours (kWh) annually; (5) two transformer banks and one 4.16-kilovolt (kV) transmission line; along with (6) appurtenant facilities, such as governors and electric switchgear. The dam and existing project facilities are owned by Fox River Paper Company and N.E.W. Hydro, Inc.

o. A copy of the application is on file with the Commission and is available

<sup>1</sup> Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.