

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Alabama Power Company

Project Nos. 2146-090,82-019, and
618-104 – Alabama
Coosa River Project, Mitchell Project,
and Jordan Project

NOTICE OF PROPOSED RESTRICTED SERVICE LIST
FOR A PROGRAMMATIC AGREEMENT FOR MANAGING
PROPERTIES INCLUDED IN OR ELIGIBLE FOR INCLUSION IN
THE NATIONAL REGISTER OF HISTORIC PLACES

(November 20, 2002)

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.¹ The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission staff is consulting with the Alabama and Georgia State Historic Preservation Officer (hereinafter, SHPOs) and the Advisory Council on Historic Preservation (hereinafter, Council) pursuant to the Council's regulations, 36 CFR Part 800, implementing Section 106 of the National Historic Preservation Act, as amended, (16 USC 470 f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at Project Nos. 2146, 82, and 618.

The programmatic agreement, when executed by the Commission, the SHPOs, and the Council, would satisfy the Commission's Section 106 responsibilities for all individual undertakings carried out in accordance with the licenses until the licenses

¹ 18 CFR Section 385.2010.

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expire or are terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to Section 106 for the above projects would be fulfilled through the programmatic agreement, which the Commission proposes to draft in consultation with certain parties listed below. The executed programmatic agreement would be incorporated into any Orders issuing licenses.

Alabama Power Company, as licensee for Project Nos. 2146, 82, and 618, and the Mississippi Band of Choctaw Indians, Jena Band of Choctaw Indians, Chickasaw Nation, Poarch Band of Creek Indians, and the U.S. Bureau of Indian Affairs have expressed an interest in this proceeding and are invited to participate in consultations to develop the programmatic agreement.

For purposes of commenting on the programmatic agreement, we propose to restrict the service list for the aforementioned projects as follows:

Dr. Laura Henley Dean
Advisory Council on Historic Preservation
The Old Post Office Building, Suite 803
1100 Pennsylvania Avenue, NW
Washington, D.C. 20004

William Day
Tribal Historic Preservation Officer
Poarch Band of Creek Indians
128 Olive St.
Pineville, LA 71360

Amanda McBride
Alabama Historical Commission
1500 Tower Building
323 Center Street
Little Rock, AR 72201

Rena Duncan
Tribal Historic Preservation Officer
Chickasaw Nation
P.O. Box 1548
Ada, OK 74820

David Crass
Georgia Historic Preservation Division
156 Trinity Avenue S.W. Suite 101
Atlanta, GA 30303-1040

Ken Carleton
Tribal Historic Preservation Officer
Mississippi Band of Choctaw Indians
P.O. Box 6257
Choctaw, MS 39350

Christine Norris
Tribal Historic Preservation Officer
Jena Band of Choctaw Indians
P.O. Box 14
Jena, LA 71342

Dr. James Kardatzke
Bureau of Indian Affairs
Eastern Region Office
711 Stewarts Ferry Pike
Nashville, TN 37214

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Kelly Schaeffer
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John Harrington, Esq.
Office of Solicitor
Southeast Regional Office
75 Spring St., S.W., Suite 304
Atlanta, GA 30303

Any person on the official service list for the above-captioned proceedings may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. In a request for inclusion, please identify the reason(s) why there is an interest to be included. Also please identify any concerns about Historic Properties, including Traditional Cultural Properties. If Historic Properties are to be identified within the motion, please use a separate page, and label it **NON-PUBLIC** Information.

An original and 8 copies of any such motion must be filed with Magalie R. Salas, the Secretary of the Commission (888 First Street, NE, Washington, D.C. 20426) and must be served on each person whose name appears on the official service list. If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions filed within the 15 day period.

Linwood A. Watson, Jr.
Deputy Secretary