

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Alabama Power Company

Project No. 349-150 - Alabama
Martin Dam Hydroelectric 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

(October 1, 2010)

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR section 385.2010, 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. 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 State Historic Preservation Officer (hereinafter, SHPO) and the Advisory Council on Historic Preservation (hereinafter, Advisory Council) pursuant to the Advisory Council's regulations, 36 CFR Part 800, implementing section 106 of the National Historic Preservation Act, *as amended*, (16 USC section 470 f), to prepare a Programmatic Agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at the Martin Dam Hydroelectric Project.

The Programmatic Agreement, when executed by the Commission, the Alabama SHPO, and the Advisory Council, would satisfy the Commission's section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR section 800.13[e]). The Commission's responsibilities pursuant to section 106 for the project would be fulfilled through the Programmatic Agreement, which the Commission staff proposes to draft in consultation with certain parties listed below.

Alabama Power Company, as licensee for Project No. 349-150, is invited to participate in consultations to develop the Programmatic Agreement and to sign as a concurring party to the Programmatic Agreement. For purposes of commenting on the Programmatic Agreement, we propose to restrict the service list for Project No. 349-150 as follows:

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John Fowler, Executive Director
Advisory Council on Historic
Preservation
The Old Post Office Building, Suite 803
1100 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Elizabeth Ann Brown, Deputy SHPO
Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900

Amanda Hill or Representative
Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900

Jim Crew or Representative
Alabama Power Company
600 North 18th Street
Birmingham, AL 35291

Robert Thrower, THPO
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

Terry Cole, THPO
Choctaw Nation of Oklahoma
3010 Enterprise Boulevard
Durant, OK 74701

Augustine Asbury
Alabama-Quassarte Tribal Town
101 E. Broadway
Wetumka, OK 74883

Bryant Celestine, THPO
Alabama-Coushatta Tribe of Texas
571 State Park Road 56
Livingston, TX 77351

Dr. James Kardatzke
Bureau of Indian Affairs
Eastern Regional Office
545 Marriott Drive, Suite 700
Nashville, TN 37214

Jonathan A. Ashley or Representative
U.S. Army Corps of Engineers
P.O. Box 2288
Mobile, AL 36628-0001
ATTN: EN-HW

Charles Coleman
Thlopthlocco Tribal Town
P.O. Box 188
Okemah, OK 74859-0188

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. An original plus seven copies of any such motion must be filed with the Secretary of the Commission (888 First Street, N.E., Washington, D.C. 20426) and must be served on

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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 the motion.

Kimberly D. Bose,
Secretary.

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