



**APPALACHIAN
POWER®**

A unit of American Electric Power

Appalachian Power
Hydro Generation
P O Box 2021
Roanoke, VA 24022-2121
www.APCOcustomer.com

Magalie Roman Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

January 5, 2006

RE: Appalachian Power Company
Claytor Project No. 739
Notification of Intent
To File Application for New License

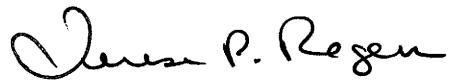
Dear Secretary:

On behalf of Appalachian Power Company (Appalachian), enclosed for filing are one (1) original and eight (8) copies of Notice of Intent to File Application for New License for the Claytor Project No. 739 located on the New River in southwestern Virginia. The enclosed notice is being filed with the Commission pursuant to the requirements of 18 C.F.R. Section 5.5 and Subpart T of Part 385.

At this time, Appalachian is requesting to be designated as the Commission's non-Federal representative for purposes of consultation under Section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 C.F.R. Part 402, section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and the implementing regulations at 50 C.F.R. § 600.920. At this time, Appalachian is also requesting permission to initiate Section 106 consultation pertaining to the relicensing of the Claytor Project No. 739 on behalf of the Commission in order to initiate consultation with the Virginia State Historic Preservation Officer (SHPO), the Eastern Bank of Cherokee Indians, and other consulting parties, pursuant to 36 C.F.R. § 800.2(c)(4) of the regulations implementing Section 106 of the National Historic Preservation Act.

We believe that this filing is timely and has been prepared in accordance with the requisite rules and regulations governing such a filing. Any questions regarding the information included in this filing should be directed to the undersigned.

Very truly yours,

A handwritten signature in black ink that reads "Teresa P. Rogers". The signature is written in a cursive style with a large, looping initial 'T'.

Teresa P. Rogers
Appalachian Power Company
Reservoir Superintendent
P.O. Box 2021
Roanoke, VA 24022
540-985-2441

cc: Distribution List

**APPALACHIAN POWER COMPANY
CLAYTOR PROJECT NO. 739
NOTICE OF INTENT TO FILE
APPLICATION FOR NEW LICENSE
DISTRIBUTION LIST**

Federal Agencies

John Fuller	Advisory Council on Historic Preservation
Mike Nedd	Bureau of Land Management – Eastern States
Director	Bureau of Reclamation – Regional Office
Michel Hicks	Eastern Band of Cherokee Indians
Chadwick Smith	Cherokee Nation
Dr. James T. Kardatzke	U.S. Bureau of Indian Affairs
John Smith	Federal Energy Regulatory Commission
Jerrold Gotzmer	Federal Energy Regulatory Commission – Atlanta
Patricia Arcuri	FEMA Region III
The Honorable Rick Boucher	United States House of Representative
The Honorable George Allen	United States Senate
The Honorable John Warner	United States Senate
Patricia Kurkul	National Marine Fisheries – Northeast Region
Cynthia Wilkerson	National Park Service – Northeast Region
Lisa Morgan	U.S. Army Corps of Engineers – Huntington
Chief	U.S. Army Corps of Engineers – Norfolk
Donald Welch	U.S. Environmental Protections Agency – Region III
Director	U.S. Fish and Wildlife Service– Annapolis, MD
Marvin Moriarty	U.S. Fish and Wildlife Service – Hadley, MA
Karen Mayne	U.S. Fish and Wildlife Service – Gloucester, VA
Ward Staubitz	U.S. Geological Survey
James Kardatzke	U.S. Bureau of Indian Affairs – Eastern Region
Lt. Bill Clark	U.S. Coast Guard – MSO Hampton Roads
Dean Jackson	U.S. Coast Guard – Flotilla 83
Joel Gardner	U.S.D.A. Forest Service
Thom Leedom	U.S. Corps of Engineers – Blacksburg Field Office

State Agencies

David Collette	Claytor Lake State Park
The Honorable W.B. Keister	House of Delegates
The Honorable David Nutter	House of Delegates
The Honorable Phillip Puckett	Senate of Virginia
Thomas James	New River Health Department
Mark Hufeisen	New River Trail State Park
Gary Boring	New River Highland RC&D
Deanna Beacham	Virginia Council on Indians
Director	Virginia Department of Agriculture
Robert Munson	Virginia Department of Conservation and Recreation

Robert Stroube
Roger Kirchen
Mike McLeod
John Copeland
William Kittrell
Justin Worrell
W. Tayloe Murphy
Cody Walker
Director

Virginia Department of Health
Virginia Department of Historic Resources
Virginia Department of Environmental Quality
Virginia Department of Game and Inland Fisheries
Virginia Department of Game and Inland Fisheries
Virginia Marine Resources Commission
Virginia Natural Resources Commission
Virginia State Corporation Commission
West Virginia Department of Natural Resources

Local Government

Mark Henne
Chris McKlarney
Joe Coburn
Craig Mohler
B. Clayton Goodman
Brad Buchanan
Peter Huber
Dean Pratt
Ranny Akers
Thomas Starnes
Lonnie Mullins
Howard Spencer
James Kast
Rick Showalter

City of Bluefield
Giles County
Mercer County
Monroe County
Montgomery County
Montgomery County Parks and Recreation
Pulaski County
Pulaski County – Draper District
Pulaski County – Ingles District
Radford City
Summers County
Town of Glen Lyn
Town of Narrows
Wytheville Parks and Recreation

Non-Governmental Organizations

David Jenkins
Andrew Fahlund
Kevin Colburn
Ronnie Powers
Richard Roth
Bill Tanger
Rebecca Sherman
Bill Flowers
Ann Kelly
Director
David Rundgren
Shawn Hash
Director
Steve Moyer
Tamara Vance
Jeffery George
Roger Holnback
Beth Obenshain
Dave Mondy

American Canoe Association
American Rivers
American Whitewater
Friends of Claytor Lake
Friends of the New River
Friends of the Rivers of Virginia
Hydropower Reform Coalition
Isaak Walton League
National Committee for the New River
National Wildlife Federation
New River Valley Planning District Commission
Tangent Outfitters
Nature Conservancy
Trout Unlimited
VA Outdoor Foundation
Norfolk Southern, Real Estate, Pulaski County
Western Virginia Land Trust
New River Land Trust
New River Junction

Paul Angermeier
Llyn Sharp

Dept. of Fisheries and Wildlife Sciences, VPISU
New River Watershed Roundtable

9. Information in accordance with 18 C.F.R. Sec. 16.7 is available for public inspection and copying at:

Appalachian Power Company
Hydro Generation Department
40 Franklin Road
Roanoke, VA 24011
540-985-2441

10. Name and addresses:

- a. Every county in which any part of the Claytor Project (No. 739) is located, and in which any Federal facility that is used by the project is located:

<u>Name</u>	<u>Address</u>
Pulaski County, Virginia	Administrator Pulaski County 143 Third Street Pulaski, VA 24301
Montgomery County, Virginia	Administrator Montgomery County 755 Roanoke Street Christiansburg, VA 24073

- b. Every city, town or similar local political subdivision in which any part of the Claytor Project (No. 739), and any Federal facilities that would be used by the project, are located or that has a population of 5,000 or more people and is located within fifteen (15) miles of the project dam, or other political subdivision in the general area of the project that there is reason to believe would be likely interested in, or affected by, the notification:

<u>Name</u>	<u>Address</u>
City of Radford, Virginia	Manager City of Radford 619 Second Street Radford, VA 24141

Town of Dublin, Virginia Manager
Town of Dublin
101 Dublin Park Road
Dublin, VA 24084

Town of Pulaski, Virginia Manager
Town of Pulaski
42 1st Street, NW
Pulaski, VA 24301

Town of Blacksburg,
Virginia Manager
Town of Blacksburg
300 South Main Street
Blacksburg, VA 24062

Town of Christiansburg,
Virginia Manager
Town of Christiansburg
100 East Main Street
Christiansburg, VA 24073

- c. Every irrigation district, drainage district, or similar special purpose political subdivision in which any part of the project is or is proposed to be located and any Federal facility that is or is proposed to be used by the project:

Not Applicable

- d. Affected Indian Tribes:

<u>Name</u>	<u>Address</u>
Eastern Band of Cherokee Indians	Chief Michel Hicks Eastern Band of Cherokee Indians P.O. Box 455 Cherokee, NC 28719

11. Appalachian Power Company will not be seeking benefits under Section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA) by satisfying the requirements for qualifying hydroelectric small power production facilities in § 292.203 of this chapter.

