

Anyone may obtain an extension of time for these deadlines from the Commission only upon a showing of good cause or extraordinary circumstances in accordance with 18 CFR 385.2008.

All filings must: (1) Bear in all capital letters the title "PROTEST," "MOTION TO INTERVENE," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and the number of copies required by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

**David P. Boergers,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

#### Regulations Governing Off-the-Record Communications; Public Notice

December 17, 1999.

This constitutes notice, in accordance with 18 CFR 385.2201(h), of the receipt of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires

Commission decisional employees, who make or receive an exempt or a prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such requests only when it determines that fairness so requires.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications received in the Office of the Secretary within the preceding 14 days. The documents may be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

#### Exempt

1. Project No. 4515-014-12-1-99—Elliott Sutto.
2. CP98-150-000 and CP98-151-000-12-3-99—Christopher Pryslopski.
3. CP98-150-000 and CP98-151-000-12-3-99—Steve C. Resler.
4. CP99-163-000-11-8-99—L.J. Sauter, Jr.
5. Project No. 1981-000-11-11-99—Thomas F. Thuemler.
6. Project No. 2741-000-11-10-99—Brian D. Conway.
7. Project No. 2609-013-11-19-99—Judith M. Stolfo.
8. Project No. 2566-010 and Project No. 11616-000-11-29-99—Chris Freiberger.
9. CP99-94-000-12-8-99—Wayne E. Daltry.
10. Project No. 10942-000-12-6-99—Don Beyer.

11. CP98-150-000 and CP98-151-000-12-9-99—Gordon P. Buckley.

12. Project No. 2659-000-12-10-99—Bob Easton.

13. CP98-150-000 and CP98-151-000-12-14-99—Matthew J. Brower.

14. CP00-36-000-12-17-99—Stanley Hlaban.

**David P. Boergers,**  
*Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6249-4]

### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared December 6, 1999 through December 10, 1999 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7176.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 10, 1998 (63 FR 17856).

#### Draft EISs

ERP No. D-AFS-J60020-00 Rating EC2, Yellowstone Pipeline Missoula to Thompson Falls Route, Construction and Operation, Special-Use-Permit and Right-of-Way Easement, Missoula, Sanders and Mineral Counties, MT and Shoshone County, ID.

*Summary:* EPA supports the preferred alternative, however EPA expressed environmental concerns regarding potential surface and ground water quality impacts from potential pipeline spills and recommended using an industry state-of-the-art pipeline leak detection system. EPA recommends including protective measures for the existing pipeline west of Thompson Falls.

ERP No. D-FHW-C40149-NY Rating EC2, Albany Shaker Road and Watervliet Shaker Road Improvement Project, Construction and Reconstruction, Funding and COE Section 404 Permit, Town of Colonie, Albany County, NY.

*Summary:* EPA expressed environmental concerns regarding potential impacts to wetlands and air quality. EPA requested that additional information regarding the minimization