

83442, (208) 745-8630, (fax) (208) 745-7909, or e-mail address: npsihydro@aol.com.

i. *FERC Contact*: Any questions on this notice should be addressed to Mr. Lynn R. Miles, Sr. at (202) 219-2671, or e-mail address: lynn.miles@ferc.fed.us.

j. *Deadline for filing motions to intervene, protests and comments*: 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments recommendation, interventions, and protests, may be electronically filed via the internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.fed.us/efi/doorbell.htm>.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervener 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.

k. *Description of Project*: (1) An existing concrete dam 312 feet high and 900 feet long; (2) a reservoir having a surface area of 1,972 acres with a storage capacity of 360,400 acre-feet at a normal water surface elevation of 3,870 feet; (3) a 120-inch diameter 300 foot-long steel penstock; (4) a powerhouse containing two 4.25MW generating units with a project capacity of 8.5 megawatts; (5) a 25 kv transmission line approximately 20 miles long; and (6) appurtenant facilities.

The project would have an annual generation of 57.6 GWh.

l. A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 208-1371. The application may be viewed on <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

m. *Preliminary Permit*—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified

comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

n. *Preliminary Permit*—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application either a competing development application or notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

o. *Notice of Intent*—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

p. *Proposed Scope of Studies under Permit*—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

q. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified

comment date for the particular application.

r. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any other above-name documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

s. *Agency Comments*—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 01-13101 Filed 5-23-01; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM93-11-000]

#### Revisions to Oil Pipeline Regulations Pursuant to the Energy Policy Act of 1992

Issued May 18, 2001.

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Notice of Annual Change in the Producer Price Index for Finished Goods, Minus One Percent.

**SUMMARY:** The Commission is issuing the index that oil pipelines must apply to their July 1, 2000-June 30, 2001 index ceiling levels to compute their index ceiling levels for the period July 1, 2001 through June 30, 2002, in

accordance with 18 CFR 342.3(d). This index, which is the percent change (expressed as a decimal) in the annual average Producer Price Index for Finished Goods from 1999 to 2000, minus one percent, is 0.027594. Oil pipelines must multiply their July 1, 2000–June 30, 2001 index ceiling levels by 1.027594 to compute their index ceiling levels for the period July 1, 2001 through June 30, 2002.

**FOR FURTHER INFORMATION CONTACT:** David Ulevich, Office of Markets, Tariffs, and Rates, Corporate Applications, Group 2, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, (202) 208–0678.

**SUPPLEMENTARY INFORMATION:**

**Notice of Annual Change in The Producer Price Index For Finished Goods, Minus One Percent**

The Commission's regulations include a methodology for oil pipelines to change their rates through use of an index system that established ceiling levels for such rates. The index system as set forth at 18 CFR 342.3 is based on the annual change in the Producer Price Index for Finished Goods (PPI–FG), minus one percent. The regulations provide that each year the Commission will publish an index reflecting the final change in the PPI–FG, minus one percent, after the final PPI–FG is made available by the Bureau of Labor Statistics in May of each calendar year.

The annual average PPI–FG index figure for 1999 was 133.0 and the annual average PPI–FG index figure for 2000 was 138.0.<sup>1</sup> Thus, the percent change (expressed as a decimal) in the annual average PPI–FG from 1999 to 2000, minus one percent, is 0.027594.<sup>2</sup> Oil pipelines must multiply their July 1, 2000–June 30, 2001 index ceiling levels by 1.027594<sup>3</sup> to compute their index ceiling levels for the period July 1, 2001, through June 30, 2002, in accordance with 18 CFR 342.3(d). For guidance in calculating the ceiling levels for each

period beginning January 1, 1995,<sup>4</sup> see *Explorer Pipeline Company*, 71 FERC ¶ 61,416 at n.6 (1995).

**Document Availability**

In addition to publishing the full text of this document in the Federal Register, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in the Public Reference Room at 888 First Street, N.E., Room 2A, Washington, D.C. 20426.

The Commission Issuance Posting System (CIPS) provides access to the texts of formal documents issued by the Commission from November 14, 1994, to the present. CIPS can be accessed via Internet through FERC's Home Page (<http://www.ferc.fed.us>) on CIPS in ASCII and WordPerfect 6.1. User assistance is available at 202–208–2222 or by E-mail to [cips.master@ferc.fed.us](mailto:cips.master@ferc.fed.us).

This document is also available through the Commission's Records and Information Management System (RIMS), an electronic storage and retrieval system of documents submitted to and issued by the Commission after November 16, 1981. Documents from November 1995 to the present can be viewed and printed. RIMS is available in the Public Reference Room or remotely via Internet through FERC's Home Page using the RIMS link or the Energy Information Online icon. User assistance is available at 202–208–2222, or by E-mail to [rims.master@ferc.fed.us](mailto:rims.master@ferc.fed.us).

Finally, the complete text on diskette in WordPerfect format may be purchased from the Commission's copy contract; RVJ International, Inc. RVJ International, Inc. is located in the Public Reference Room at 888 First Street, N.E., Washington, D.C. 20426.

**Linwood A. Watson, Jr.,**

*Acting 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**

May 18, 2001.

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, any 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. Any person identified below as having made a prohibited off-the-record communication should serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

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. CP00–165–000, 04–30–01, Larry E. Golden
2. Project No. 2042, 05–10–01, Timothy B. Bechelder
3. Project No. 1354, 05–08–01, Nicholas Markevich
4. CP01–49–000, 05–08–01, Bobby Miller
5. CP01–49–000, 05–08–01, Bobby Miller
6. Project No. 2042, 05–08–01, Timothy B. Bachelder

<sup>1</sup> The final figure for the annual average PPI–FG is published by the Bureau of Labor Statistics in mid-May of each year. This figure is publicly available from the Division of Industrial Prices and Price Indexes of the Bureau of Labor Statistics, at (202) 606–7705, and is available in print in August in Table 1 of the annual data supplement to the BLS publication *Producer Price Indexes*. The PPI data are also available via the Internet. The Internet address is <<http://www.fedstats.gov>>. This site contains data from a number of government agencies; to obtain the BLS data, click on agencies, then click on Bureau of Labor Statistics, then click on data, Most Requested Series, scroll to Producer Price Indexes-Commodities (Finished Goods), for the latest available data.

<sup>2</sup>  $[138.0 - 133.0] / 133.0 = 0.037594 - .01 = 0.027594$ .

<sup>3</sup>  $1 + 0.027594 = 1.027594$ .

<sup>4</sup> For a listing of all prior multipliers issued by the Commission, see the Commission's website, [www.ferc.fed.us](http://www.ferc.fed.us). The table of multipliers can be found under the headings "Oil" and "Index."