

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

Regulations Governing Off-the-Record Communications; Public Notice

October 12, 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, 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. 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. Copies of this filing are on file with the Commission and are available for public inspection. The documents may be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance).

EXEMPT

1. CP01-176-000	10-3-01	Laura Turner.
2. Project No. 2175, et al	10-9-01	Hon. Ron W. Goode.
3. CP01-45-000	10-9-01	David Swearington.
4. Project Nos. 10865-000 and 11495-000	10-10-01	Carol Gleichman.
5. Project No. 2016-000	10-10-01	Allyson Brooks (signature page).

David P. Boergers,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PL02-1-000]

Before Commissioners: Pat Wood, III, Chairman; William L. Massey, Linda Breathitt, and Nora Mead Brownell; Treatment of Previously Public Documents; Statement of Policy on Treatment of Previously Public Documents

Issued October 11, 2001.

The September 11, 2001 terrorist attacks on America have prompted the Commission to reconsider its treatment of certain documents that have previously been made available to the public through the Commission's Internet site, the Records and Information Management System (RIMS), and the Public Reference Room. For the time being, the Commission will no longer make available to the public through these means documents, such as oversized maps, that detail the

specifications of energy facilities licensed or certificated under Part I of the Federal Power Act, 16 U.S.C. 791a, *et seq.*, and Section 7(c) of the Natural Gas Act, 15 U.S.C. 717f(c), respectively. Rather, anyone requesting such documents must follow the procedures set forth in 18 CFR 388.108 (Requests for Commission records not available through the Public Reference Room (FOIA Requests)).

The Commission does not know how long this process will stay in place, and directs staff to report on its impact on agency business in 90 days. In the meantime, staff is also directed to make every effort to respond timely to legitimate requests for documents that have been made available to the public previously but that are no longer available through the means noted above.

By the Commission.
David P. Boergers,
Secretary.
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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7086-2]

Agency Information Collection Activities: Submission for OMB Review; Comment Request, Compliance Assurance Monitoring Program Information Collection Request

AGENCY: Environmental Protection Agency (EPA).
ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Compliance Assurance Monitoring Program, 40 CFR part 64, OMB Control Number 2060-0376, expiration date September 30, 2001. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before November 19, 2001.