

wholesale electric power and energy purchases and sales as a marketer.

Comment Date: August 11, 2003.

12. Northeast Utilities Service Company

[Docket No. ER01-1261-001]

Take notice that on July 21, 2003, the Northeast Utilities Service Company (NUSCO) on behalf of The Connecticut Light and Power Company (CL&P), filed for acceptance an executed Licensing, Engineering and Construction Agreement and an executed Interconnection and Operating Agreement between CL&P and Milford Power Company LLC (Milford), each relating to the interconnection of Milford's 560 MW combined cycle power plant to CL&P's transmission system (the Agreements).

NUSCO states that a copy of this filing has been mailed to Milford. NUSCO has requested a July 21, 2003 effective date for the Agreements, and has requested any waivers of the Commission's regulations that may be necessary to permit such an effective date.

Comment Date: August 11, 2003.

13. Fall River Rural Electric Cooperative, Inc.

[Docket No. ES03-40-000]

Take notice that on July 18, 2003, Fall River Rural Electric Cooperative, Inc. (Fall River) submitted an application pursuant to section 204 of the Federal Power Act seeking authorization to borrow no more than \$13,769,232 under a master loan agreement with the National Rural Utilities Cooperative Finance Corporation.

Fall River also requests a waiver from the Commission's competitive bidding and negotiated placement requirements at 18 CFR 34.2.

Comment Date: August 13, 2003.

Standard Paragraph

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the

Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. Protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

Magalie R. Salas,

Secretary.

[FR Doc. 03-19680 Filed 8-1-03; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER02-2001-000, et al.]

Electric Quarterly Reports et al.; Intent To Withdraw Market-Based Rate Authority

Issued July 28, 2003.

Before Commissioners: Pat Wood, III, Chairman; William L. Massey, and Nora Mead Brownell.

In the matter of: ER02-2001-000, ER95-1381-000, ER98-3451-000, ER94-1246-000, ER95-0878-000, ER97-1676-000, ER99-0581-000, ER97-4434-000, ER98-3934-000, ER99-1890-000, ER98-0102-000, ER99-2970-000, ER96-0924-000, ER02-0893-000, ER95-1399-000, ER96-0734-000, ER00-1530-000, ER96-1781-000, ER95-1752-000, ER01-2059-000, ER96-1631-000, ER97-3815-000, ER99-2540-000, ER96-1774-000, ER98-3006-000, ER97-3053-000, ER98-1221-000, ER01-1414-000, ER98-2332-000, ER97-4364-000, ER95-0751-000, ER98-3052-000, ER99-0823-000, ER97-4145-000, ER97-4680-000, ER97-1117-000, ER00-2535-000, ER98-2423-000, ER98-1297-000, ER96-2879-000: Electric Quarterly Reports, Alliance Strategies, American Premier Energy Corporation, Ashton Energy Corporation, Audit Pro Incorporated, Black Brook Energy Company, Business Discount Plan, Inc., Clean Air Capital Markets Corporation, Clinton Energy Management Services, Inc., Commodore Electric, Current Energy, Inc., Delta Energy Group, Direct Access Management, LP, Dorman Materials, Inc., Electech, Inc., Energy Marketing Services Inc., Energy & Steam Company, Inc., EnergyTek, Inc., Engineered Energy Systems Corporation, Enpower, Inc., Entrust Energy, LLC, Family Fiber Connection, Inc., Friendly Power Company, LLC, Full Power Corporation, Growth Unlimited Investments, Inc., K & K Resources, Inc., Keystone Energy

Services, Inc., Micah Tech Industries, Inc., Northern Lights Power Company, People's Utility Corporation, PowerCom Energy & Communications Access, Inc., PowerGasSmart.com, Inc., PowerSource Corporation, River City Energy, Inc., Sigma Energy, Inc., Staghill Alternative Energy Corporation, TC Power Solutions, The New Power Company, The FURSTS Group, Inc., TransCurrent, LLC, US Energy, Inc.

1. Section 205 of the Federal Power Act (FPA), 16 U.S.C. 824d (2000); accord 18 CFR part 35 (2003), requires that all rates, terms and conditions of jurisdictional services be filed with the Commission. In Order No. 2001,¹ a final rule establishing revised public utility filing requirements for rates, terms and conditions of jurisdictional services,² the Commission required public utilities, including power marketers, to file, among other things, Electric Quarterly Reports summarizing the contractual terms and conditions in their agreements for all jurisdictional services (including market-based power sales, cost-based power sales, and transmission service) and transaction information (including rates) for short-term and long-term market-based power sales and cost-based power sales during the most recent calendar quarter. In Order No. 2001-C,³ the Commission required utilities to file their Electric Quarterly Reports using software provided by the Commission. Commission staff review of the Electric Quarterly Report submittals has revealed that a number of utilities that previously had been granted authority to sell power at market-based rates have failed to file Electric Quarterly Reports. Accordingly, this order notifies those utilities that their market-based rate authorizations will be withdrawn unless they comply with the Commission's requirements.

2. In Order No. 2001, the Commission stated that, [i]f a public utility fails to file a[n] Electric Quarterly Report (without an appropriate request for extension), or fails to report an agreement in a report, that public utility may forfeit its market-based rate authority and may be required to file a new application for market-based rate authority if it wishes to resume making sales at market-based rates.⁴

¹ Revised Public Utility Filing Requirements, Order No. 2001, 67 FR 31043, FERC Stats. & Regs. ¶ 31,127 (April 25, 2002), *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reconsideration and clarification denied*, Order No. 2001-B, 100 FERC ¶ 61,342, *order directing filings*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002).

² Order No. 2001, FERC Stats. & Regs. ¶ 31,127 at P 11-12, 18-21.

³ Order No. 2001-C, 101 FERC ¶ 61,314 at P 9.

⁴ Order No. 2001, FERC Stats. & Regs. ¶ 31,127 at P 222.

3. The Commission further stated that, [t]he Electric Quarterly Reports are designed to satisfy the FPA section 205(c) requirements. For power marketers, the Electric Quarterly Report is intended to replace the current filing of Quarterly Transaction Reports summarizing their market-based rate transactions and the filing of long-term agreements. Electric Quarterly Reports are also intended to replace the Quarterly Transaction Reports and rate filings required of traditional utilities with market-based rate authority. Once this rule becomes effective, the requirement to comply with this rule will supersede the conditions in public utilities' market-based rate authorizations and failure to comply with the requirements of this rule will subject public utilities to the same consequences they would face for not satisfying the conditions in their rate authorizations, including possible revocation of their authority to make wholesale power sales at market-based rates.⁵

4. Commission staff has determined that a number of public utilities that had been granted market-based rate authority have failed to file their Electric Quarterly Reports.⁶ Commission staff has made a concerted effort to contact non-filing utilities in writing and by phone to inform them of their regulatory obligation. Moreover, on April 24, 2003, the Secretary of the Commission sent letters to 423 companies reminding them that they were required to file the Electric Quarterly Report. The letters stated: [w]ithin thirty (30) days of the date of this letter, your company utility must file Electric Quarterly Reports for the 2nd, 3rd, and 4th Quarters of 2002 and the 1st Quarter of 2003. Failure to do so may result in the Commission's revocation of your market-based rate authority in accordance with Order No. 2001. * * * Please provide your immediate attention to this important compliance matter.⁷

5. Each of the public utilities listed in the caption of this order was sent this letter but none of them responded. In some cases, the letters were returned unopened. Commission staff called the contacts identified in its power marketer rolls and searched Commission records and the Internet to identify alternate

addresses and contacts. Where an alternate address or contact could be identified, a second letter was sent. These letters also received no response.⁸

6. Notwithstanding efforts to find the non-filing public utilities listed in the caption of this order to remind them of their filing obligations, they have not complied with the requirement to file Electric Quarterly Reports.

7. Accordingly, the market-based rate authorizations for those utilities identified in the caption of this order will be withdrawn unless they comply with the Commission's requirements.

The Commission Orders

(A) Within 30 days of the date of issuance of this order, each public utility listed in the caption of this order shall file its Electric Quarterly Reports for the 2nd, 3rd, and 4th Quarters of 2002 and the 1st and 2nd Quarters of 2003. If no such filings are made, the Commission will withdraw the public utility's authority to sell power at market-based rates and terminate its electric market-based rate tariff.

(B) The Secretary is hereby directed to publish this order in the **Federal Register**.

By the Commission.

Magalie R. Salas,

Secretary.

[FR Doc. 03-19703 Filed 8-1-03; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[OECA-2003-0090; FRL-7539-1]

Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; NESHAP for Secondary Aluminum Production (40 CFR Part 63, Subpart RRR), EPA ICR Number 1894.04, OMB Control Number 2060-0433

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 an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for

⁸These public utilities appear to have failed to update their addresses with the Secretary as required in the Commission's regulations, 18 CFR 385.2010(i)(2) (2003). In some cases, they may have gone out of business and failed to file a Notice of Cancellation of their electric market-based rate tariff with the Commission. See 18 CFR 35.15 (2003).

review and approval. This is a request to renew an existing approved collection. This ICR is scheduled to expire on July 31, 2003. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. This ICR describes the nature of the information collection and its estimated burden and cost.

DATES: Additional comments may be submitted on or before September 3, 2003.

ADDRESSES: Submit your comments, referencing docket ID number OECA-2003-0090, to (1) EPA online using EDOCKET (our preferred method), by e-mail to docket.oeca@epa.gov, or by mail to: EPA Docket Center, Environmental Protection Agency, Enforcement and Compliance Docket and Information Center, Mail Code 2201T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, and (2) OMB at: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Maria Malavé, Compliance Assessment and Media Programs Division (Mail Code 2223A), Office of Compliance, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (202) 564-7027; fax number: (202) 564-0050; e-mail address: malave.maria@epa.gov.

SUPPLEMENTARY INFORMATION: EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On September 26, 2002 (67 FR 60672), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments.

EPA has established a public docket for this ICR under Docket ID Number OECA-2003-0090, which is available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket and Information Center is: (202) 566-1514. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to

⁵ *Id.* at P 223.

⁶ In many cases, the utilities had previously failed to file Power Marketer Quarterly Reports (the predecessor to the Electric Quarterly Reports).

⁷ Letter informing Abacus Group Ltd, *et al.*, that to date their Electric Quarterly Reports had not been filed and requesting that the reports for the 2nd, 3rd, and 4th quarters of 2002, *et al.*, be filed within 30 days (April 24, 2003).