

Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of this notice.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-175 Filed 2-3-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application for Non-Project Use of Project Lands and Waters and Soliciting Comments, Motions To Intervene, and Protests

January 28, 2004.

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Project Use of Project Lands and Waters.

b. *Project No.:* 516-388.

c. *Date Filed:* December 10, 2003.

d. *Applicant:* South Carolina Electric & Gas Company.

e. *Name of Project:* Saluda Hydroelectric Project.

f. *Location:* Lake Murray in Saluda County, South Carolina.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a) 825(r) and 799 and 801.

h. *Applicant Contact:* Mr. Randolph R. Mahan, Manager, Environmental Programs and Special Projects, SCANA Services, Inc., Columbia, SC, 29218, (803) 217-9538.

i. *FERC Contacts:* Any questions on this notice should be addressed to Ms. Jean Potvin at (202) 502-8928, or e-mail address: [jean.potvin@ferc.gov](mailto:jean.potvin@ferc.gov).

j. *Deadline for filing comments and or motions:* March 1, 2004.

All documents (original and eight copies) should be filed with: Ms. Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-516-388) on any comments or motions filed. Comments, 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 e-filings.

k. *Description of Proposal:* South Carolina Electric & Gas Company is requesting Commission approval to permit Westshore Limited, d/b/a Spinners Marina, to use project lands

below the 360-foot contour to accommodate the installation of a floating dock capable of berthing 40 boats at an existing marina. The marina presently consists of only a dock and a boat ramp. The marina is located at Spinners Marina, on Lake Murray, 101 Sandalwood Road, Leesville, Saluda County, South Carolina.

l. *Location of the Applications:* The filings are available for review at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC, 20426, or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please call the Helpline at (866) 208-3676 or contact [FERCONLineSupport@ferc.gov](mailto:FERCONLineSupport@ferc.gov). For TTY, contact (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *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, 385.211, 385.214. 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.

o. *Filing and Service of Responsive Documents:* Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. *Agency Comments:* Federal, State, and local agencies are invited to file comments on the described applications. A copy of the applications 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.

q. Comments, 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 at <http://www.ferc.gov> under the "e-Filing" link.

**Magalie R. Salas,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. PL04-2-000, EL03-236-000]

#### Compensation for Generating Units Subject to Local Market Power Mitigation in Bid-Based Markets PJM Interconnection, L.L.C.; Notice of Technical Conferences

January 28, 2004.

As previously announced in a notice issued January 12, 2004, conferences will be held on February 4 and 5, 2004, to discuss issues related to local market power mitigation and the methods of compensating must-run generators in organized markets.<sup>1</sup> The conferences will be held on February 4 and 5 beginning at 9 a.m. The conferences will take place at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. The Commissioners may attend all or part of the conferences.

The conference to be held on February 4, 2004, will focus on broad general principles for pricing of must-run generating units and the general framework the Commission should use to address this issue. The conference to be held on February 5, 2004, will focus on PJM's specific proposal regarding compensation for must-run generating units in Docket No. EL03-236 and how it fits within the broader framework.

The February 4, 2004 technical conference will include perspectives from key industry experts and market participants on local market power mitigation and Reliability Must-Run (RMR) issues. This conference will be structured as three panels with brief presentations and question and answer periods.

The subject areas to be considered at the conferences are given below, along

<sup>1</sup> In an Order issued December 19, 2003, the Commission directed staff to convene a two-part technical conference on compensation of must run generating units. Compensation for Generating Units Subject to Local Market Power Mitigation in Bid-Based Markets, 105 FERC ¶61,312 (2003).

with the agenda and confirmed speakers for the February 4, 2004 conference. A detailed list of questions that may be relevant for any panel or day of the conferences is included as an attachment to this Notice.

*Issues to be discussed at each panel:*

- Description and extent of local market power concerns
- Interaction between local market power concerns and RMR issues
- How important is additional infrastructure in mitigating local market power?
- What are the appropriate ways to mitigate local market power and also meet reliability needs?
  - Spot market price mitigation
  - Market design changes
  - RMR contracts
  - Infrastructure solutions
- What mix of short-run and long-run solutions should be adopted?
- Prospects for successful implementation of solutions
- Is there a single policy that is applicable to all markets?

*Region-specific issues (to be addressed during Afternoon Sessions #1 and #2 on February 4th and on February 5th):*

- Effectiveness and success of current local market power mitigation approach
- Current concerns or issues (e.g., price impact, inadequate infrastructure, insufficient generator revenues) about local market power mitigation and possible solutions
- Proposed solutions being considered
- Infrastructure needs within region

**Agenda for the February 4, 2004 Conference**

*Morning Session #1 (9—9:20)*

Presentation on capital commitment/investment decision-making Frank Napolitano, Lehman Brothers Inc.

*Morning Session #2 (9:30—12:15)*

Frank Napolitano, Lehman Brothers Inc.  
 Michael Schnitzer, The NorthBridge Group, representing Exelon Corp.  
 Bill Hogan, Harvard University  
 Roy Shanker, Consultant to generators and financial market participants  
 David Patton, Potomac Economics, MISO Market Monitor  
 Joe Bowring, PJM Market Monitor  
 Roy Thilly, Wisconsin Public Power Inc.  
 Abram Klein, Edison Mission Marketing & Trading

*Afternoon Session #1 (1:30—3)*

Mark Reeder, New York Public Service Commission  
 Steve Wemple, Con Edison Energy  
 Bob Ethier, ISO-NE Market Monitor

Steve Corneli, NRG Power Marketing Inc  
 Gunnar Jurgensen, Northeast Utilities/  
 Select Energy  
 John Anderson, John Hancock

*Afternoon Session #2 (3:15—4:45)*

Keith Casey, CAISO  
 Danielle Jassaud, Public Utility Commission of Texas  
 John Meyer, Reliant Resources, Inc.  
 Judi Mosley, Pacific Gas & Electric Company

The February 5, 2004 PJM-specific technical conference will focus on the alternative local market power mitigation and RMR proposals and comments that have been filed in the Docket No. EL03-236-000 proceeding. The structure of this conference will be more informal than the general conference. PJM and the participants sponsoring alternative policies will present and discuss their proposals. Opportunity for additional comment will be provided. Issues addressed at the February 4 conference may be discussed at the PJM-specific conference.

Transcripts of the conference will be immediately available from Ace Reporting Company (202-347-3700 or 1-800-336-6646), for a fee. They will be available for the public on the Commission's e-Library two weeks after the conference. The Capitol Connection offers the opportunity for remote listening and viewing of the conference. It is available for a fee, live over the Internet, via C-Band Satellite. Persons interested in receiving the broadcast, or who need information on making arrangements should contact David Reininger or Julia Morelli at the Capitol Connection (703-993-3100) as soon as possible or visit the Capitol Connection Web site at <http://www.capitolconnection.gmu.edu> and click on "FERC".

Questions about the February 4 conference should be directed to: Michael Coleman, Office of Markets, Tariffs, and Rates, 888 First Street, NE., Washington, DC 20426, 202-502-8236, [michael.coleman@ferc.gov](mailto:michael.coleman@ferc.gov).

Questions about the February 5 PJM conference should be directed to: David Kathan, Office of Markets, Tariffs, and Rates, 888 First Street, NE., Washington, DC 20426, 202-502-6404, [david.kathan@ferc.gov](mailto:david.kathan@ferc.gov).

**Magalie R. Salas,**  
*Secretary.*

**Detailed Questions; Technical Conferences; February 4 and 5, 2004**

(1) What is local market power and why should it be mitigated? When should a supply offer be mitigated?

(2) What are load pockets and what infrastructure is needed to resolve them?

(3) What are the goals of local market power mitigation, and how do they fit with the goals of attracting and retaining needed infrastructure investment?

(4) When does scarcity occur within a local area or load pocket?

a. What distinguishes between short and long-term scarcity?

b. How does one distinguish between scarcity pricing and monopoly rents?

(5) How is infrastructure developed in load pockets?

(6) What are the options for local market power mitigation?

(a) Bid Offer caps.

a. Unit-specific.

b. Seller-specific.

c. Region-specific.

(b) RMR contracts.

(c) Other.

(7) Which roles are appropriate and preferred for the following entities, and who should be responsible for addressing local market power and infrastructure development?

a. Should RTOs and ISOs:

i. Administer markets that appropriately value resources over time and location?

ii. Administer local market power mitigation measures?

1. What degree of discretion is appropriate?

iii. Develop and enforce capacity obligations?

iv. Negotiate contracts (e.g., RMR contracts) and auctions for resources?

b. Should LSEs.

i. Have the responsibility to procure sufficient resources including in load pockets?

ii. Pay for resources that RTOs and ISOs procure on their behalf?

c. State commissions.

d. FERC.

(8) What approaches produce price signals and market structures that attract investment in load pockets?

a. Relax market power mitigation.

i. Safe harbor bid adders (e.g., PUSH).

b. Local installed capacity obligations (LICAP).

i. Enforcement through capacity deficiency rate.

ii. Enforcement through spot price penalty.

iii. Duration of obligation.

c. Pricing of the value of operating reserves (scarcity pricing).

d. State-approved curtailment plans.

e. Infrastructure related Credit Issues.

(9) For transparent market prices to attract and retain needed investment where and when needed, should these prices reflect:

a. Short run marginal cost.

- b. "Going forward" cost.
- c. Long run marginal cost.
- d. Sunk investment cost.
- e. Other.

(10) Are long-term commitments necessary for investment in infrastructure (generation, transmission or demand response) to resolve or remove load pockets?

(11) Under what conditions is an RTO-administered auction to acquire capacity in a local area warranted?

- a. Who can call for an auction?

b. What resources will be able to bid into auction? Transmission? Existing generation units? Demand Response?

(12) What are appropriate combinations of the market power mitigation measures and the local resource adequacy measures?

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7618-2]

### Science Advisory Board Staff Office; Notification of Upcoming Meeting of the US Environmental Protection Agency Science Advisory Board

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The EPA, Science Advisory Board (SAB) Staff Office announces a public meeting of the Board of the EPA SAB.

**DATES:** February 23-25, 2004: A public meeting of the Board of the EPA SAB will be held from 9 a.m. to 5 p.m. on February 23 and 24, 2004, and from 9 a.m. to 12 p.m. on February 25, 2004 (eastern time).

**ADDRESSES:** The meeting location for face-to-face meetings of the Board will be in the greater Washington, DC metropolitan area. The meeting location will be announced on the SAB Web site, <http://www.epa/sab> two weeks before the meeting.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing further information regarding the SAB may contact Mr. Thomas O. Miller, Designated Federal Officer (DFO), U.S. EPA Science Advisory Board Staff Office (1400A), 1200 Pennsylvania Avenue, NW., Washington, DC 20460; by telephone/voice mail at (202) 564-4558; or via e-mail at [miller.tom@epa.gov](mailto:miller.tom@epa.gov). General information about the SAB can be found in the SAB Web site at <http://www.epa.gov/sab>.

## SUPPLEMENTARY INFORMATION:

### Background

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is given that the SAB, will hold a public meeting, also described above, to provide advice to EPA on its science, technology, and research programs and budgets for its Fiscal Year 2005. The first public advisory meeting on this subject was first announced in the **Federal Register** on November 25, 2003 (68 FR 66095), and held on December 10, 2003.

The purpose of the public meeting of February 23-25 is to continue to receive briefings and respond to EPA's charge about science, technology, and research programs and the FY 2005 budget. The charge, meeting agenda, and review documents and background information will be available on the SAB Web site <http://www.epa.gov/sab> two weeks before the meeting.

Individuals who are unable to access the documents electronically may contact Mr. Thomas Miller, DFO, as noted above. A very limited number of paper copies can be made available in special circumstances.

### Procedures for Providing Public Comment

It is the policy of the EPA Science Advisory Board (SAB) Staff Office to accept written public comments of any length, and to accommodate oral public comments whenever possible. The EPA SAB Staff Office expects that public statements presented at the (Board) meeting will not be repetitive of previously submitted oral or written statements. *Oral Comments:* In general, each individual or group requesting an oral presentation at face-to-face meeting will be limited to a total time of 10 minutes (unless otherwise indicated). For conference call meetings, opportunities for oral comment will usually be limited to no more than three minutes per speaker and no more than 15 minutes total. Interested parties should contact the DFO in writing (email, fax or mail) at least one week prior to the meeting in order to be placed on the public speaker list for the meeting. Speakers should bring at least 35 copies of their comments and presentation slides for distribution to the participants and public at the meeting. *Written Comments:* Although written comments are accepted until the date of the meeting (unless otherwise stated), written comments should be received in the SAB Staff Office at least one week prior to the meeting date so that the comments may be made available to the committee for their

consideration. Comments should be supplied to the DFO at the address/contact information noted above in the following formats: one hard copy with original signature, and one electronic copy via e-mail (acceptable file format: Adobe Acrobat, WordPerfect, Word, or Rich Text files (in IBM-PC/Windows 95/98 format). Those providing written comments and who attend the meeting are also asked to bring 35 copies of their comments for public distribution.

### Meeting Accommodations

Individuals requiring special accommodation to access these meetings, should contact the DFO at least five business days prior to the meeting so that appropriate arrangements can be made.

Dated: January 23, 2004.

**Vanessa T. Vu,**

*Director, EPA Science Advisory Board Staff Office.*

[FR Doc. 04-2268 Filed 2-3-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7618-3]

### Science Advisory Board Staff Office; Notification of Upcoming Meetings of the Science Advisory Board Review Panel for the EPA's Report on the Environment

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The EPA's Science Advisory Board (SAB) Staff Office announces a public teleconference and meeting of the SAB Review Panel for the Agency's Report on the Environment (ROE).

**DATES:** February 18, 2004: The public teleconference will be held on February 18, 2004, from 11 a.m. to 2 p.m. (eastern time).

*March 9-12, 2004:* The public meeting of the Panel will be held from 9 a.m. to 5 p.m. on March 9-11, 2004, and from 9 a.m. to 12 p.m. on March 12, 2004 (eastern time).

**ADDRESSES:** The public meeting of the Panel will be held in the Washington, D.C. metropolitan area. The meeting location will be announced on the SAB Web site, <http://www.epa/sab> two weeks before the meeting.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing further information regarding the public meeting, or wishing to obtain the teleconference call-in number and access code to participate in the