

second day we will meet at 9 a.m. at the Mission Project. Site visitors will be responsible for their own transportation. Anyone with questions regarding the site visits should contact Mr. John C. Wishon of Duke Power at (828) 369-4604. The times and locations of these site visits are as follows:

*Re:* Bryson, Dillsboro, and Franklin Projects.

*Date:* Tuesday, February 10, 2004.

*Time:* 8 a.m.–12 p.m.

*Place:* Bryson Project.

*Address:* 310 Dam Road, Whittier, NC 28789.

*Re:* Mission Project.

*Date:* Wednesday, February 11, 2004.

*Time:* 9 a.m.–10 a.m.

*Place:* Mission Project.

*Address:* 1765 Mission Dam Road, Murphy, NC 28906.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-192 Filed 2-4-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

January 30, 2004.

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

a. *Type of Application:* Preliminary permit.

b. *Project No.:* 12484-000.

c. *Date Filed:* December 30, 2003.

d. *Applicant:* Metro Hydroelectric Company LLC.

e. *Name of Project:* Metro Hydroelectric Project

f. *Location:* The proposed project would be located at the FirstEnergy Corporation's (formally Ohio Edison) dam on the Cuyahoga River in Summit County near Akron, Ohio.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Mr. M. Clifford Phillips, Metro Hydroelectric Company LLC, 3465 Arlington Road Suite E-168, Akron, Ohio 44312, (330) 256-7979.

i. *FERC Contact:* Any questions on this notice should be addressed to Mr. Lynn R. Miles, Sr. at (202) 502-8763.

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 Magalie R.

Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-12484-000) on any comments, protest, or motions filed.

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:* The proposed run-of-river project would consist of: (1) An existing 429-foot-long, 47-foot-high dam, (2) an impoundment with a surface area of 34 acres and a storage capacity of 589 acre-feet at normal maximum water surface elevation of 912 feet mean sea level, (3) one proposed 350-foot-long, 7.5-foot-diameter penstock, (4) a proposed powerhouse containing one or more turbine/generating units with a combined installed capacity of 27.75 megawatts, (5) a proposed one-half mile-long, 12.5-kilovolt transmission line, and (6) appurtenant facilities. The project would have an average annual generation of 10,300 megawatt-hours.

l. *Locations of Applications:* A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington DC 20426, or by calling (202) 502-8371. This filing may also 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, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h. above.

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

n. *Competing 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.

o. *Competing Development Application—* 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 a 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.

p. *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.

q. *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.

r. *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.

s. *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 of the above-named 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.

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 electronic filings.

t. *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.

Magalie R. Salas,  
Secretary.

[FR Doc. E4–215 Filed 2–4–04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER03–1345–000]

#### Midwest Independent Transmission System Operator, Inc.; Supplemental Notice of Technical Conference

January 30, 2004.

The January 22, 2004, Notice of Technical Conference in this proceeding indicated that a technical conference regarding the Midwest Independent Transmission System Operator, Inc.’s (Midwest ISO) proposed revision to Attachment C of its Open Access

Transmission Tariff, relating to the calculation of Available Flowgate Capacity (AFC), will be held on Thursday, February 5, 2004, at 9 a.m. This conference will be held in Room 3M–1 at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. All interested persons may attend the conference, and registration is not required. However, attendees are asked to contact Nat Davis at (202) 502–6171 or [nathaniel.davis@ferc.gov](mailto:nathaniel.davis@ferc.gov) so that name tags for attendees can be created.

The agenda for the technical conference is attached. The topics will commence with a presentation by the Midwest ISO followed by a discussion. The conference will focus on the questions identified in the agenda. After the conference, Commission Staff will set a schedule for Comments and Reply Comments to be filed.

Magalie R. Salas,  
Secretary.

#### Technical Conference Agenda

9–9:30 a.m.: Introductions—Commission Staff and Midwest ISO.

9:30–12 p.m.: Questions and responses to Midwest ISO proposed AFC calculation for transmission requests that source and/or sink within the American Transmission Company, LLC (ATCo) footprint (Staff’s questions are set forth below).

- Is the technology available to the Midwest ISO system operator to evaluate all affected flowgates for firm and non-firm transmission requests (a) for the individual ATCo control areas and (b) for the combined ATCo control areas?

- The proposed interim treatment of non-firm transactions sourcing and sinking within the ATCo footprint would reduce granularity, as compared with the ongoing work of Midwest ISO in increasing the level of specificity and detail (granularity) employed in its flow-based analysis of transmission service requests for all other Midwest ISO transactions, both firm and non-firm. How does Midwest ISO plan to (a) ensure that non-firm transactions are approved on a first-come, first-served basis and (b) ensure that transactions that cause congestion are not approved and not scheduled?

- Midwest ISO refers to the combining of the ATCo control areas into one as a “Virtual ATC area.” What is a “Virtual ATC area”? Are there any other examples within Midwest ISO or in other system of a “Virtual ATC area”?

- Does Midwest ISO have a procedure to identify and provide transparency of non-firm transactions that take place within the “Virtual ATC area”?

- If congestion occurs within the “Virtual ATC area,” how does Midwest ISO plan to relieve such congestion; (a) by curtailing specific non-firm transactions within ATCo, (b) curtailing all non-firm transactions within ATCo, (c) curtailing non-firm transactions sourcing and sinking outside ATCo, but with flowgate impacts within ATCo, or (d) other?

- Are all non-firm transactions within the ATCo footprint required to be “tagged” in the E-tag system, and input into the NERC Interchange Distribution Calculator (IDC)? By what process is Midwest ISO informed that such transactions have received the proper tag?

- Given that Midwest ISO has the capability of analyzing the flowgate impact of all firm and non-firm transactions within the Midwest ISO footprint, under what circumstances would transactions be approved without such analysis, and what would be the justification?

- Are all non-firm transactions sourcing and sinking in ATCo assumed to have the same impact on congestion, regardless of what a flowgate analysis, if actually performed, would indicate?

- How is congestion to be relieved for non-firm transactions that source and sink within ATCo, but impact flowgates outside ATCo?

- How is congestion to be relieved for non-firm transactions that source and sink outside ATCo, but impact flowgates within ATCo?

- What has been the recent experience of congestion within ATCo? Have there been instances when Transmission Load Relief (TLR) has been initiated? To what extent has the congestion been relieved by curtailing transactions sourcing and sinking within ATCo? outside ATCo?

- Does Midwest ISO anticipate that “Virtual ATC area” procedures will increase or decrease ATCo system congestion?

[FR Doc. E4–216 Filed 2–4–04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OECA–2003–0027; FRL–7618–5]

### Agency Information Collection Activities; Submission for OMB Review and Approval; Comment Request; NESHAP for Phosphoric Acid Manufacturing Plants and Phosphate Fertilizers Production Plants, EPA ICR Number 1790.03, OMB Number 2060–0361

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 review and approval. This is a request to renew an existing approved collection. This ICR is scheduled to expire on January 31, 2004. 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.