

Administrative Procedure Act or any other law for this notice concerning grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: March 16, 2004.

**Louisa Koch,**

*Deputy Assistant Administrator, OAR,  
National Oceanic and Atmospheric  
Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Marine Protected Areas Federal Advisory Committee; Public Meeting

**AGENCY:** National Ocean Service,  
NOAA, Department of Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** Notice is hereby given of the third meeting of the Marine Protected Areas Federal Advisory Committee (MPA FAC) in Key Largo, Florida.

**DATES:** The meeting will be held Tuesday, April 6, from 8:30 a.m. to 5 p.m., Wednesday, April 7, from 8:30 a.m. to 5 p.m., and Thursday, April 8, from 8:30 a.m. to 12 p.m. These times and the agenda topics described below may be subject to change. Refer to the web page listed below for the most up-to-date meeting agenda.

**ADDRESSES:** The meeting will be held at the Holiday Inn Resort and Marina, 99701 Overseas Highway, Key Largo, Florida 33037.

**FOR FURTHER INFORMATION CONTACT:**

Charles Wahle, Acting Designated Federal Officer, MPA FAC, National Marine Protected Areas Center—Science Institute, 110 Shaffer Road, Santa Cruz, CA, 95060. (Phone: 831-242-2052, Fax: 831-242-2051); e-mail: [charles.wahle@noaa.gov](mailto:charles.wahle@noaa.gov); or visit the national MPA Center Web site at <http://www.mpa.gov>.

**SUPPLEMENTARY INFORMATION:** The MPA FAC, composed of external, knowledgeable representatives of stakeholder groups, has been established by the Department of Commerce to provide advice to the Secretaries of Commerce and Interior on implementation of section 4 of Executive Order 13158 on MPAs. The

meeting will be open to public participation, with a 2-hour time period set aside from 3 p.m. to 5 p.m. on Tuesday, April 6, 2004, and 30 minutes set aside from 8:10 a.m. to 8:40 a.m. on Thursday, April 8, 2004, for the Committee to receive verbal comments from the public. In general, each individual or group making a verbal presentation will be limited to a total time of five (5) minutes. Copies of written statements should be submitted to the Designated Federal Official by Friday, April 2, 2004.

Matters to be Considered: On Tuesday, April 6, the Committee will discuss the charges to the three subcommittees that have been established: (1) National System of MPAs; (2) Stewardship and Effectiveness of MPAs; and (3) National and Regional Coordination of MPA Efforts. The subcommittees will then meet. On Tuesday afternoon, the Committee will receive comments from the public.

On Wednesday, April 7, the Committee will meet to receive provisional reports from the subcommittees. The subcommittees will then resume their work. In the afternoon, the Committee members will take a field tour of the Florida Keys National Marine Sanctuary.

On Thursday, April 8, the Committee will receive comments from the public. The subcommittees will then meet. The full Committee will meet to further consider subcommittee reports and to discuss the timing and agenda for the next meeting.

Dated: March 17, 2004.

**Jamison S. Hawkins,**

*Deputy Assistant Administrator, Ocean Services and Coastal Zone Management,  
National Oceanic and Atmospheric  
Administration.*

[FR Doc. 04-6413 Filed 3-19-04; 8:45 am]

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## COMMODITY FUTURES TRADING COMMISSION

### In the Matter of the Intercontinental Exchange, Inc. Petition for Expansion of the Definition of Eligible Commercial Entities Under Section 1a(11)(C) of the Commodity Exchange Act

**AGENCY:** Commodity Futures Trading  
Commission.

**ACTION:** Request for comment.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission") is requesting comment regarding an Intercontinental Exchange, Inc. ("Intercontinental") petition requesting

that the category of eligible commercial entity ("ECE") be expanded to include floor and electronic broker firms that are members of the International Petroleum Exchange ("IPE") located in the U.K. and that are authorized and regulated by the U.K. Financial Services Authority ("FSA"), and local traders that are members of IPE located in the U.K. who are outside the scope of FSA regulation but who are registered with IPE. In addition, the Commission asks for comments with respect to whether any response to the petitions should be tailored specifically to Intercontinental and to the narrow circumstances presented in the petitions or whether a response should be more broadly based and, thus, also applicable to other trading facilities. The Commission invites public comment, moreover, or Intercontinental's request for relief not only for those IPE members that trade on the floor as well as the IPE electronic platform, but also for those IPE members that trade *only* on IPE's electronic platform. Finally, the Commission seeks general comment on whether ECE treatment should be extended to non-U.S. traders that are authorized by a non-U.S. exchange, but are not registrants of a national regulatory body and, if so, what standards the Commission should use to evaluate the qualifications of such persons.

**DATES:** Comments must be received by April 6, 2004.

**ADDRESSES:** Comments should be sent to the Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581, attention: Office of the Secretariat. Comments may be sent by facsimile transmission to 202-418-5521 or, by e-mail to [secretary@cftc.gov](mailto:secretary@cftc.gov). Reference should be made to "ECE Petition."

**FOR FURTHER INFORMATION CONTACT:** Riva Spear Adriance, Special Counsel, Division of Market Oversight, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW., Washington DC 20581. Telephone: 202-418-5494. E-mail: [radriance@cftc.gov](mailto:radriance@cftc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Statutory Background

Section 1a(11) of the Commodity Exchange Act ("Act" or "CEA"), as amended by the Commodity Futures Modernization Act of 2000 ("CFMA"), Pub L. No. 106-554, which was signed into law on December 21, 2000, generally defines the term ECE by listing those "eligible contract participants"