

The USPTO does not plan to pre-notify respondents about this survey or follow-up with those respondents who do not respond to this survey. This is a voluntary survey and all responses will remain confidential. The data that is collected will not be linked to the respondent and contact information that is used for sampling purposes will be maintained in a separate file from the quantitative data. Respondents are not required to provide any identifying information such as their name, address, or Social Security Number. In order to access and complete the online survey, respondents will need to use the username, password, and activation code provided by the USPTO.

These surveys do not have USPTO form numbers associated with them and once they are approved, they will carry

the OMB Control Number and the expiration date.

**II. Method of Collection**

By mail or electronically over the Internet when respondents elect the online option to complete the survey.

**III. Data**

*OMB Number:* 0651-00XX.

*Form Number(s):* N/A.

*Type of Review:* New information collection.

*Affected Public:* Individuals or households; business or other for profit; not-for-profit institutions; Federal government; and State, local or tribal government.

*Estimated Number of Respondents:* 2,400 total responses per year. Of this total, the USPTO estimates that 1,680

surveys will be mailed and that 720 surveys will be completed using the online option.

*Estimated Time Per Response:* The USPTO estimates that it will take approximately five minutes (0.08 hours) to complete both the paper and online versions of this survey.

*Estimated Total Annual Respondent Burden Hours:* 192 hours per year.

*Estimated Total Annual Respondent Cost Burden:* \$54,912. The USPTO believes that the patent attorneys of record will complete these surveys since they are being mailed to respondents with the patent allowance. Using a typical professional hourly rate of \$286 for associate attorneys in private firms, the USPTO estimates that the salary costs for the respondents completing these surveys will be \$54,912 per year.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Patent Customer Transactional Survey .....	5 minutes	1,680	134
Electronic Patent Customer Transactional Survey .....	5 minutes	720	58
Totals .....	.....	2,400	192

*Estimated Total Annual Non-Hour Respondent Cost Burden:* \$0. There are no capital start-up, maintenance, or recordkeeping costs or filing fees associated with this information collection. The USPTO covers the costs of all survey materials and provides postage-paid, pre-addressed return envelopes for the completed mail surveys. Therefore, there are no postage costs associated with this information collection.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, e.g., the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they will also become a matter of public record.

Dated: May 4, 2004.

**Susan K. Brown,**

*Records Officer, United States Patent and Trademark Office, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division.*

[FR Doc. 04-10526 Filed 5-7-04; 8:45 am]

**BILLING CODE 3510-16-P**

**DEPARTMENT OF ENERGY**

**Energy Information Administration**

**Agency Information Collection Activities: Proposed Collection; Comment Request**

**AGENCY:** Energy Information Administration (EIA), Department of Energy (DOE).

**ACTION:** Agency Information Collection Activities: Proposed Collection; Comment Request.

**SUMMARY:** The EIA is soliciting comments on the proposed revision to Form EIA-910, "Monthly Natural Gas Marketer Survey". EIA is requesting a revision to add seven States and the District of Columbia to the survey frame, which consists of natural gas marketers.

**DATES:** Comments must be filed by July 9, 2004. If you anticipate difficulty in submitting comments within that period, contact the person listed below as soon as possible.

**ADDRESSES:** Send comments to Elizabeth Campbell, Director of the Natural Gas Division. To ensure receipt of the comments by the due date, submission by FAX at (202) 586-4420 or e-mail at [elizabeth.campbell@eia.doe.gov](mailto:elizabeth.campbell@eia.doe.gov) is recommended. The mailing address is: Elizabeth Campbell, Director, Natural Gas Division, Forrestal Building, EI-44, U.S. Department of Energy, Washington, DC 20585. Alternatively, Ms. Campbell may be contacted by telephone at (202) 586-5590.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of any forms and instructions should be directed to Ms. Campbell at the address listed above.

**SUPPLEMENTARY INFORMATION:**

- I. Background
- II. Current Actions
- III. Request for Comments

**I. Background**

The Federal Energy Administration Act of 1974 (Pub. L. No. 93-275, 15 U.S.C. 761 *et seq.*) and the DOE Organization Act (Pub. L. No. 95-91, 42 U.S.C. 7101 *et seq.*) require the EIA to carry out a centralized, comprehensive, and unified energy information program. This program collects, evaluates, assembles, analyzes, and disseminates information on energy resource reserves, production, demand, technology, and related economic and statistical information. This information

is used to assess the adequacy of energy resources to meet near and longer term domestic demands.

The EIA, as part of its effort to comply with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35), provides the general public and other Federal agencies with opportunities to comment on collections of energy information conducted by or in conjunction with the EIA. Any comments received help the EIA to prepare data requests that maximize the utility of the information collected, and to assess the impact of collection requirements on the public. Also, the EIA will later seek approval by the Office of Management and Budget (OMB) under section 3507(a) of the Paperwork Reduction Act of 1995.

The EIA has been conducting the survey, Form EIA-910, "Monthly Natural Gas Marketer Survey," since August 2001 in the States of Georgia, Maryland, New York, Ohio and Pennsylvania. The survey collects information from natural gas marketers on the number of customers, volume, and revenue of natural gas sold to residential and commercial end-use customers. The data collected on the EIA-910 is combined with data collected from gas utility companies on Form EIA-857, "Monthly Report of Natural Gas Purchases and Deliveries". The combined data are published as residential and commercial sector prices in the *Natural Gas Monthly* and *Natural Gas Annual* available at <http://www.eia.doe.gov>.

These States were identified by EIA as having some of the highest and most problematic levels of missing price data for the residential and commercial consumer sectors due to the active customer programs that allow customers to choose to purchase their gas from marketers instead of local distribution or utility companies. Based upon the data already collected on the EIA-910, EIA believes that customers purchase natural gas from marketers because the customers expect to pay lower prices for their gas than if the customers purchased the gas from the local distribution companies or pipelines that deliver the gas. Therefore, EIA's lack of coverage of sales by marketers may lead to price estimates that are higher than the actual prices paid. This bias in the data has serious implications for both public and private users of EIA's data. The implementation of the EIA-910 data to EIA's price estimates in the residential and commercial sectors in 2002 for the States of Georgia, Maryland, New York, Ohio and Pennsylvania has been successful in raising the percent coverage of natural

gas prices at the national level from 92.2% in 2001 to 97.9% in 2002 in the residential sector and from 65.8% in 2001 to 78.4% in 2002 in the commercial sector.

Please refer to the proposed forms and instructions [http://www.eia.doe.gov/oil\\_gas/natural\\_gas/survey\\_forms/nat\\_survey\\_forms.html](http://www.eia.doe.gov/oil_gas/natural_gas/survey_forms/nat_survey_forms.html) for more information about the purpose, who must report, when to report, where to submit, the elements to be reported, detailed instructions, provisions for confidentiality, and uses of the information. For instructions on obtaining materials, see the **FOR FURTHER INFORMATION CONTACT** section.

## II. Current Actions

EIA is requesting a revision to add seven States and the District of Columbia to the survey frame. Currently, EIA-910 respondents in Georgia, Maryland, New York, Ohio and Pennsylvania report the number of customers, volumes of natural gas sold, and revenues.

EIA is now proposing to expand the EIA-910 to include reporting in Florida, Illinois, Michigan, New Jersey, Massachusetts, Virginia, West Virginia and the District of Columbia. The selection of the additional States and the District of Columbia is based on the increasing percentage of natural gas sold by marketers and growth patterns in customer choice programs. This expansion of the EIA-910 survey will lead to improved quality of the natural gas price data in the residential and commercial sectors. For example, current published prices in the commercial sector for the proposed new States and the District of Columbia only represent 23 to 63 percent of commercial volumes consumed in those areas. The addition of the new States and the District of Columbia to the EIA-910 survey frame will bring the percent of volumes represented by published prices in the commercial sector to 100 percent in those areas.

## III. Request for Comments

Prospective respondents and other interested parties should comment on the actions discussed in item II. The following guidelines are provided to assist in the preparation of comments.

### General Issues

A. Is the proposed collection of information necessary for the proper performance of the functions of the agency and does the information have practical utility? Practical utility is defined as the actual usefulness of information to or for an agency, taking into account its accuracy, adequacy,

reliability, timeliness, and the agency's ability to process the information it collects.

B. What enhancements can be made to the quality, utility, and clarity of the information to be collected?

### As a Potential Respondent to the Request for Information

A. What actions could be taken to help ensure and maximize the quality, objectivity, utility, and integrity of the information to be collected?

B. Are the instructions and definitions clear and sufficient? If not, which instructions need clarification?

C. Can the information be submitted by the due date?

D. Public reporting burden for this collection is currently estimated to average two hours per monthly response per state. Approximately 87 new responses are expected as a result of the addition of these States and the District of Columbia, resulting in an increase in total annual burden of 2,088 hours. The estimated burden includes the total time necessary to provide the requested information. In your opinion, how accurate is this estimate?

E. The agency estimates that the only cost to a respondent is for the time it will take to complete the collection. Will a respondent incur any start-up costs for reporting, or any recurring annual costs for operation, maintenance, and purchase of services associated with the information collection?

F. What additional actions could be taken to minimize the burden of this collection of information? Such actions may involve the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

G. Does any other Federal, State, or local agency collect similar information? If so, specify the agency, the data element(s), and the methods of collection.

### As a Potential User of the Information To Be Collected

A. What actions could be taken to help ensure and maximize the quality, objectivity, utility, and integrity of the information disseminated?

B. Is the information useful at the levels of detail to be collected?

C. For what purpose(s) would the information be used? Be specific.

D. Are there alternate sources for the information and are they useful? If so, what are their weaknesses and/or strengths?

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the form. They also will become a matter of public record.

**Statutory Authority:** Section 3507(h)(1) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104-13, 44 U.S.C. Chapter 35).

Issued in Washington, DC, May 4, 2004.

**Nancy Kirkendall,**

*Director, Statistics and Methods Group,  
Energy Information Administration.*

[FR Doc. 04-10547 Filed 5-7-04; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP04-266-000]

#### Midwestern Gas Transmission Company; Notice of Proposed Changes in FERC Gas Tariff

April 30, 2004.

Take notice that on April 27, 2004, Midwestern Gas Transmission Company (Midwestern) tendered for filing to become part of Midwestern's FERC Gas Tariff, Third Revised Volume No. 1, the following tariff sheets to become effective June 1, 2004:

Fourth Revised Sheet No. 247  
Ninth Revised Sheet No. 273  
Original Sheet No. 273A

Midwestern is requesting that the Commission accept certain potential non-conforming transportation agreements. Midwestern explains that such agreements contain language in the Term section that is different from the form of agreement currently contained in its Tariff. To rectify the inconsistency, Midwestern is proposing to amend Section 16 of the General Terms and Conditions of its Tariff to provide conformity between its Tariff and the agreements. In addition, Midwestern is notifying the Commission that one of the non-conforming agreements may contain a negotiated rate.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed as filed in accordance with Section 154.210 of the Commission's Regulations. 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. This filing is available for review at the Commission in the Public Reference

Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or TTY, contact (202) 502-8659. The Commission strongly encourages electronic filings. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the e-Filing link.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-1045 Filed 5-7-04; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP04-149-000]

#### Stingray Pipeline Company, L.L.C.; Notice of Petition for Temporary Exemption

April 30, 2004.

Take notice that on April 27, 2004, Stingray Pipeline Company, L.L.C. (Stingray) filed a Petition for Temporary Exemption pursuant to section 7(c)(1)(B) of the Natural Gas Act. As more fully set forth in the petition, Stingray is seeking approval to deactivate, on a temporary basis, certain compressor units located at its offshore and onshore compressor stations.

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 "e-Library" (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](mailto: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.

*Comment Date:* May 17, 2004.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-1041 Filed 5-7-04; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP04-267-000]

#### Transcontinental Gas Pipe Line Corporation; Notice of Filing

April 30, 2004.

Take notice that on April 27, 2003, Transcontinental Gas Pipe Line Corporation (Transco), tendered for filing with the Federal Energy Regulatory Commission, Second Revised Sheet No. 329 to its FERC Gas Tariff, Third Revised Volume No. 1, with a proposed effective date of May 27, 2004.

Transco states that the purpose of the instant filing is to modify Transco's Policy for Construction of Interconnect Facilities set forth in Section 20 of the General Terms and Conditions of Transco's Tariff.

Transco states that copies of the filing are being mailed to its affected customers and interested state commissions. In accordance with the provisions of Section 154.2(d) of the Commission's Regulations, copies of this filing are available for public inspection, during regular business hours in a convenient form and place at Transco's main offices at 2800 Post Oak Boulevard in Houston, Texas.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with 385.214 and 385.211 of the Commission's rules and regulations. All such motions or protests must be filed as provided in 154.210 of the Commission's regulations. 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.