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**Program Authority:** 20 U.S.C. 1091(d).

Dated: March 8, 2005.

**Theresa S. Shaw,**

*Chief Operating Officer, Federal Student Aid.*

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**BILLING CODE 4000-01-P**

## ELECTION ASSISTANCE COMMISSION

### Sunshine Act Notice

**AGENCY:** United States Election Assistance Commission.

**ACTION:** Notice of public meeting agenda.

**DATE AND TIME:** Tuesday, March 22, 2005, 10 a.m.–12 noon.

**PLACE:** U.S. Election Assistance Commission, 1225 New York Avenue, NW., Suite 1100, Washington, DC 2005 (Metro Stop: Metro Center).

**AGENDA:** The Commission will receive reports on the following: Title II Requirements Payments Update; Technical Guidelines Development Committee Update; Election Day Survey Analysis Update; Other Administrative Matters. The Commission will receive presentations on the following: The Role of the United States Election Assistance Commission as a Clearinghouse.

**FOR FURTHER INFORMATION CONTACT:** Bryan Whitener, Telephone: (202) 566-3100.

**Gracia M. Hillman,**

*Chair, U.S. Election Assistance Commission.*

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## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

#### Energy Conservation Program for Consumer Products: Representative Average Unit Costs of Energy

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice.

**SUMMARY:** In this notice, the Department of Energy (DOE or Department) is forecasting the representative average unit costs of five residential energy sources for the year 2005 pursuant to the Energy Policy and Conservation Act. The five sources are electricity, natural gas, No. 2 heating oil, propane, and kerosene.

**DATES: Effective Date:** The representative average unit costs of energy contained in this notice will become effective April 11, 2005 and will remain in effect until further notice.

**FOR FURTHER INFORMATION CONTACT:**

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**SUPPLEMENTARY INFORMATION:** Section 323 of the Energy Policy and Conservation Act (Act) (42 U.S.C. 6291-6309) requires that DOE prescribe test procedures for the determination of the estimated annual operating costs or other measures of energy consumption for certain consumer products specified in the Act. (42 U.S.C. 6293) These test procedures are found in Title 10 of the

Code of Federal Regulations (CFR) part 430, subpart B.

Section 323(b) of the Act requires that the estimated annual operating costs of a covered product be calculated from measurements of energy use in a representative average use cycle or period of use and from representative average unit costs of the energy needed to operate such product during such cycle. (42 U.S.C. 6293(b)) The section further requires that DOE provide information to manufacturers regarding the representative average unit costs of energy. (42 U.S.C. 6293(b)(4)) This cost information should be used by manufacturers to meet their obligations under section 323(c) of the Act. Most notably, these costs are used to comply with Federal Trade Commission (FTC) requirements for labeling. Manufacturers are required to use the revised DOE representative average unit costs when the FTC publishes new ranges of comparability for specific covered products, 16 CFR part 305. Interested parties can also find information covering the FTC labeling requirements at <http://www.ftc.gov/appliances>.

The Department last published representative average unit costs of residential energy for use in the Energy Conservation Program for Consumer Products Other Than Automobiles on January 27, 2004 (69 FR 3907). Effective April 11, 2005, the cost figures published on January 27, 2004, will be superseded by the cost figures set forth in this notice.

The Department's Energy Information Administration (EIA) has developed the 2004 representative average unit after-tax costs found in this notice. The representative average unit after-tax costs for electricity, natural gas, No. 2 heating oil, and propane are based on simulations used to produce the October 2004, EIA *Short-Term Energy Outlook*, and reflect the mid-price scenario. The representative average unit after-tax costs for kerosene are derived from their prices relative to that of heating oil, based on 1999-2003 averages for these two fuels. The source for these price data is the October 2004, *Monthly Energy Review* DOE/EIA-0035(2004/10). The *Short-Term Energy Outlook* and the *Monthly Energy Review* are available at the National Energy Information Center, Forrestal Building, Room 1F-048, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-8800. These publications can also be found on the EIA website at <http://www.eia.doe.gov>.

The 2005 representative average unit costs under section 323(b)(4) of the Act are set forth in Table 1, and will become