

(RAS). The Commission directed its staff to convene this technical conference in an April 19, 2005 Order.<sup>1</sup> Issues the participants will be asked to address include but are not limited to:

(1) What is the rationale underlying the assignment of RAS costs based on load obligation? How well does the current cost allocation match the costs of the RAS with the benefits received from the service? How many and what type of market participants (*e.g.*, financial marketers, generators, etc.) are negatively affected by the current rate design?

(2) What is the rationale for assigning RAS costs as proposed under the alternative cost allocation? How well does the alternative cost allocation match the costs of the RAS with the benefits received from the service? Explain why exports should be treated differently from all other load obligations?

(3) Quantify the impact that the asserted "seam" caused by the current RAS rate design has had (and would have) on cross-border transactions? Assess the overall impact of both rate designs on the liquidity and efficiency of New England markets.

(4) Are the rate designs used by NYISO and PJM for similar reliability services the same as the alternative rate design proposed here? If not, how do they differ and what effect would the differences have on the costs assessed for a participant with the same load profile obligation in each of the RTO/ISOs? Would seams still exist if the alternative rate design were adopted by ISO-NE?

FERC conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to [accessibility@ferc.gov](mailto:accessibility@ferc.gov) or call toll free (866) 208-3372 (voice) or 202-208-01659 (TTY), or send a FAX to 202-208-2106 with the required accommodations.

All interested persons are permitted to attend. There will be no transcript of the conference. For further information please contact Elizabeth Arnold at (202) 502-8818 or e-mail [elizabeth.arnold@ferc.gov](mailto:elizabeth.arnold@ferc.gov).

**Magalie R. Salas,**

*Secretary.*

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<sup>1</sup> *ISO New England Inc.*, 111 FERC ¶ 61,096 (2005).

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No RM93-11-000]

#### Revisions to Oil Pipeline Regulations Pursuant to the Energy Policy Act of 1992; Notice of Annual Change in the Producer Price Index for Finished Goods

May 17, 2005.

The Commission's regulations include a methodology for oil pipelines to change their rates through use of an index system that establishes ceiling levels for such rates. The Commission bases the index system, found at 18 CFR 342.3, on the annual change in the Producer Price Index for Finished Goods (PPI-FG). This rule now provides that pipelines should use PPI-FG as the oil pricing index factor, 18 CFR 342.3(d)(2).<sup>1</sup> The Commission determined in an order on remand issued February 24, 2003, that the PPI-FGE *without* the minus 1 percent is the appropriate oil pricing index factor for pipelines to use.<sup>2</sup>

The regulations provide that the Commission will publish annually, an index figure reflecting the final change in the PPI-FG, after the Bureau of Labor Statistics publishes the final PPG-FG in May of each calendar year. The annual average PPI-FG index figure for 2003 was 143.3. The annual average PPI-FG index figure for 2004 was 148.5.<sup>3</sup> Thus, the percent change (expressed as a decimal) in the annual average PPI-FG from 2003 to 2004 is positive .036288.<sup>4</sup> Oil pipelines must multiply their July 1, 2004, through June 30, 2005, index ceiling levels by positive 1.036288<sup>5</sup> to compute their index ceiling levels for July 1, 2005, through June 30, 2006, in accordance with 18 CFR § 342.3(d). For guidance in calculating the ceiling levels for each 12 month period

<sup>1</sup> 108 FERC ¶ 61,210 (2004).

<sup>2</sup> 102 FERC ¶ 61,195 at P 1 (2003).

<sup>3</sup> Bureau of Labor Statistics (BLS) publishes the final figure in mid-May of each year. This figure is publicly available from the Division of Industrial Prices and Price Indexes of the BLS, at (202) 691-7705, and in print in August in Table 1 of the annual data supplement to the BLS publication *Producer Price Indexes* via the Internet at [<http://www.bls.gov/ppi>]. To obtain the BLS data, click on "Get Detailed PPI Statistics," and then under the heading "Most Requested Statistics" click on "Commodity Data." At the next screen, under the heading "Producer Price Index—Commodity," select the first box, "Finished goods—WPUSOP3000", then scroll all the way to the bottom of this screen and click on Retrieve data.

<sup>4</sup>  $(148.5 - 143.3) / 143.3 = 0.036288$ .

<sup>5</sup>  $1 + 0.036288 = 1.036288$

beginning January 1, 1995<sup>6</sup> see *Explorer Pipeline Company*, 71 FERC 61,416 at n.6 (1995).

In addition to publishing the full text of this Notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print this Notice via the Internet through FERC's Home Page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5 p.m. eastern time) at 888 First Street, NE., Room 2A, Washington DC 20426. The full text of this Notice is available on FERC's Home Page at the eLibrary link. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field and follow other directions on the search page.

User assistance is available for eLibrary and other aspects of FERC's Web site during normal business hours. For assistance, 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.

**Magalie R. Salas,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AD05-3-000]

#### Promoting Regional Transmission Planning and Expansion To Facilitate Fuel Diversity Including Expanded Uses of Coal-Fired Resources; Post-Technical Conference Notice Inviting Comments

May 18, 2005.

On May 13, 2005, the Commission convened a technical conference in Charleston, West Virginia, in order to identify regional solutions to promote regional transmission planning, expansion and enhancement to facilitate fuel diversity including increased integration of coal-fired resources to the transmission grid. As announced at the conclusion of the conference, entities are invited to file comments in the above-captioned docket on the topics discussed at the conference. Comments are due on May 27, 2005.

<sup>6</sup>For a listing of all prior multipliers issued by the Commission, see the Commission's website, [www.ferc.gov](http://www.ferc.gov). The table of multipliers can be found under the headings "Oil" and "Index".

The Commission encourages electronic submission of comments in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the comment to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

All filings in this docket are accessible online at <http://www.ferc.gov>, using the "eLibrary" link and will be available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Magalie R. Salas,  
Secretary.

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0121; FRL-7713-1]

### Pythium Oligandrum DV 74; Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

**DATES:** Comments, identified by docket identification (ID) number OPP-2005-0121, must be received on or before June 24, 2005.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Tessa Milofsky, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number:

(703) 308-0455; e-mail address: [milofsky.tessa@epa.gov](mailto:milofsky.tessa@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

###### B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPP-2005-0121. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/>

to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket.

Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the