

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****15 CFR Part 922**

[Docket No. 060707188–6188–01]

RIN 0648–AT18

Consideration of Marine Reserves and Marine Conservation Areas Within the Channel Islands National Marine Sanctuary

AGENCY: National Marine Sanctuary Program (NMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Proposed rule; correction.

SUMMARY: On August 11, 2006, NOAA published a proposed rule in the *Federal Register* to establish marine reserves and marine conservation areas within the Channel Islands National Marine Sanctuary (Sanctuary). The preamble of that rule contained inconsistent or inaccurate figures denoting the current size of the Sanctuary that need to be corrected. This document corrects and clarifies those figures.

DATES: The deadline for submitting comments on the proposed rule and hearing dates remains October 10, 2006.

ADDRESSES: Copies of the draft environmental impact statement, regulatory impact review, and initial regulatory flexibility analyses may still be obtained from NOAA's Channel Islands National Marine Sanctuary Web site at <http://channelislands.noaa.gov/> or by writing to Sean Hastings, Resource Protection Coordinator, Channel Islands National Marine Sanctuary, 113 Harbor Way, Suite 150, Santa Barbara, CA 93109; e-mail: Sean.Hastings@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Sean Hastings, (805) 884–1472; e-mail: Sean.Hastings@noaa.gov.

SUPPLEMENTARY INFORMATION:**Need for Correction**

On August 11, 2006 (71 FR 46134), NOAA published a proposed rule to establish a network of marine zones within the Sanctuary. The proposed rule contained three inconsistent or inaccurate figures denoting the current size of the Sanctuary and the increase in total area of the Sanctuary that would result from the proposed rule. These descriptions appear in the preamble to that proposed rule and do not affect the substance of the regulatory text or modify NOAA's proposal in any substantive way.

The first reference that needs to be corrected appears in the **SUMMARY** section of the proposed rule (page 46135; first column), where the current size of the Sanctuary is cited as “approximately 1268 square nautical miles.” When NOAA issued final regulations for the Sanctuary on October 2, 1980, the area of the Sanctuary was estimated to be approximately 1252.5 square nautical miles (45 FR 65198). NOAA updated the estimate to approximately 1243 square nautical miles using more accurate information and the North American Datum 1983. In a separate proposed rule issued earlier this year, NOAA proposed, among other things, to update the legal description of the Sanctuary boundary to reflect this change (71 FR 29096; May 19, 2006). This update does not constitute a change in the geographic area of the Sanctuary, but rather an improved estimate of its size. For these reasons, the current size of the Sanctuary should be cited as “approximately 1243 square nautical miles.”

The second reference that needs to be clarified appears in the **SUPPLEMENTARY INFORMATION** section of the proposed rule on page 46135 (second column), where NOAA cites “1,252.5 square nautical miles” as the current size of the Sanctuary. For the reason discussed above, the proposed rule should have cited the current size of the Sanctuary as “approximately 1243 square nautical miles.”

The third reference that needs to be clarified appears in the **SUPPLEMENTARY INFORMATION** section of the proposed rule on page 46138 (third column), where NOAA cites “1252 square nautical miles” as the current size of the Sanctuary and “16 square nautical miles” as the increase in area that would result from the proposed rule. For the reasons described above, the proposed rule should have cited the current size of the Sanctuary as “approximately 1243 square nautical miles.” Similarly, the increase in the size of the Sanctuary that would result from the proposed rule should be cited as “approximately 25 square nautical miles” instead of “16 square nautical miles.” This increase in the difference between the proposed Sanctuary size and the current Sanctuary size is a product of the smaller size estimate of 1,243 square nautical miles and does not result from an increase in the proposed area that would be added to the Sanctuary by the proposed rule.

The draft environmental impact statement associated with the proposed rule, entitled “Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine

Conservation Areas” (71 FR 46220; August 11, 2006), also uses both “1,243” and “1252” square nautical miles to approximate the current size of the Sanctuary. As discussed above, when discussing the current size of the Sanctuary in general terms, those references should be “approximately 1243 square nautical miles.” Similarly, references to the difference between the current size of the Sanctuary and its expanded size under the proposed rule should be cited as “approximately 25 square nautical miles.”

Dated: September 26, 2006.

Elizabeth R. Scheffler,

Assistant Administrator for Management, Ocean Services and Coastal Zone Management.

[FR Doc. 06–8491 Filed 10–4–06; 8:45 am]

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****18 CFR Parts 35 and 37**

[Docket Nos. RM05–25–000 and RM05–17–000]

Preventing Undue Discrimination and Preference in Transmission Service

September 28, 2006.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Proposed rule; notice of agenda for technical conference.

SUMMARY: Commission staff proposes to convene a technical conference to discuss issues raised in the Notice of Proposed Rulemaking (NOPR) issued in this proceeding. Preventing Undue Discrimination and Preference in Transmission Service, 71 FR 32636 (June 6, 2006). This notice establishes the agenda and procedures for the technical conference to be held on Thursday, October 12, 2006, from 9 a.m. to 4 p.m. (EDT) at the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in the Commission Meeting Room. All interested persons are invited to attend, and registration is not required. This will be a staff conference, but Commissioners may attend.

DATES: Commission staff will hold a technical conference on October 12, 2006.

FOR FURTHER INFORMATION CONTACT: Daniel Hedberg, Office of Energy Markets and Reliability, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426,

(202) 502-6243, daniel.hedberg@ferc.gov or Kathleen Barrón, Office of the General Counsel—Energy Markets, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6461, kathleen.barron@ferc.gov.

SUPPLEMENTARY INFORMATION:

Notice of Agenda and Procedures for Technical Conference

This notice establishes the agenda and procedures for the technical conference to be held on Thursday, October 12, 2006, to discuss issues raised in the Notice of Proposed Rulemaking (NOPR) issued in this proceeding. Preventing Undue Discrimination and Preference in Transmission Service, 71 FR 32636 (June 6, 2006), FERC Stats. & Regs. ¶ 32603 (2006). The technical conference will be held from 9 a.m. to 4 p.m. (EDT) at the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in the Commission Meeting Room.¹ All interested persons are invited to attend, and registration is not required. This will be a staff conference, but Commissioners may attend.

The agenda for this conference is attached. In order to allot sufficient time for questions and responses, each speaker will be provided with five minutes for prepared remarks. Due to the limitation of time, slides and graphic displays (i.e., PowerPoint® presentations) will not be permitted during the conference. Presenters who want to distribute copies of their prepared remarks or handouts should bring 100 double-sided copies to the technical conference. Presenters who wish to include comments, presentations, or handouts in the record for this proceeding should file their comments with the Commission. Comments may either be filed on paper or electronically via the eFiling link on the Commission's Web site at <http://www.ferc.gov>.

A free Webcast of this event is available through <http://www.ferc.gov>. Anyone with Internet access who desires to view this event can do so by navigating to <http://www.ferc.gov>'s Calendar of Events and locating this event in the Calendar. The event will contain a link to its Webcast. The Capitol Connection provides technical support for the free Webcasts. It also offers access to this event via television in the DC area and via phone bridge for a fee. Visit <http://www.CapitolConnection.org> or contact

Danelle Perkowski or David Reininger at the Capitol Connection at 703-993-3100 for information about this service.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to accessibility@ferc.gov or call toll free 1-866-208-3372 (voice) or 202-208-1659 (TTY), or send a fax to 202-208-2106 with the required accommodations.

For more information about this conference, please contact: Daniel Hedberg, Office of Energy Markets and Reliability, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6243, daniel.hedberg@ferc.gov or Kathleen Barrón, Office of the General Counsel—Energy Markets, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6461, kathleen.barron@ferc.gov.

Magalie R. Salas,
Secretary.

Agenda for OATT Reform Technical Conference, October 12, 2006

9 a.m.–9:15 a.m.—Opening Comments and Introductions.

9:15 a.m.–11:45 a.m.—Issues Relating to Coordinated, Open and Transparent Transmission Planning.

• Presentations by Panelists:

Verne Ingersoll, Director of Regional Planning, System Planning & Operations Department, Progress Energy, Inc.

Sandra Johnson, Director, Transmission Asset Management, Xcel Energy, Inc.

Jay Looock, Director, Technical Services, Western Electricity Coordinating Council.

Pete Wybierala, Director, Transmission Planning, NRG Energy, Inc. On behalf of the Electric Power Supply Association (EPSA).

James Yancey Kerr, II, Commissioner, North Carolina Utilities Commission; First Vice President, National Association of Regulatory Utility Commissioners (NARUC); Member, NARUC Electricity Committee.

Michael J. Kormos, Senior Vice President, Reliability Services, PJM Interconnection L.L.C.

Joel deJesus, Assistant General Counsel, National Grid.

Terry J. Wolf, Manager of Transmission Services, Missouri River Energy Services, on behalf of Transmission Access Policy Study Group (TAPS).

Will Kaul, Vice President, Transmission, Great River Energy, on behalf of National Rural Electric Cooperative Association (NRECA).

• Panel discussion topics include related issues raised in the NOPR, as well as the following:

1. What is the appropriate geographic scope for an effective planning region or subregion?

2. Are there specific criteria that can be developed to define the scope and frequency of the congestion studies proposed in the NOPR?

3. Is an independent consultant necessary to facilitate planning?

4. What are some effective mechanisms for safeguarding confidentiality while permitting meaningful access to transmission information?

5. How should the planning obligation be coordinated with state processes?

6. If an open season requirement is added for large new transmission projects, what conditions or limitations should be associated with it?

7. Can the proposed regional planning requirement achieve its goals if the participants in the regional planning process have not achieved agreement among themselves on appropriate cost-allocation issues? If not, what can be done to encourage the development of such cost allocation agreements among regional planning participants?

8. What is the appropriate role for demand response in planning?

11:45 a.m.–12:30 p.m.—Lunch.

12:30 p.m.–1:45 p.m.—Discussion of ATC-related Reforms.

• Presentations by Panelists:

William (Bill) Lohrman, Managing Director, Prague Power, LLC, on Behalf of North American Electric Reliability Council (NERC).

Rae McQuade, President, North American Energy Standards Board (NAESB).

Steven Naumann, Vice President, Wholesale Market Development, Exelon Corporation, on behalf of Edison Electric Institute (EEI).

Michael Smith, Vice President, Regulatory and Legislative Affairs, Constellation Energy Commodities Group.

Edward N. (Nick) Henery, Director of Reliability, American Public Power Association (APPA).

Jerry Smith, Alliance Partnership Manager, Arizona Public Service.

• Panel discussion topics include related issues raised in the NOPR, as well as the following:

1. What are the challenges that NERC/NAESB and the industry face in the effort to enhance the consistency of certain definitions, data, modeling assumptions and components of the ATC calculation? Which of these

¹ The initial notice setting the date of this technical conference was issued on September 7, 2006. 71 FR 54053 (2006).

elements are most critical to make consistent? Is a focus on comparability of ATC calculation and transparency more important than consistency of ATC calculation?

2. What is a reasonable timeline to achieve the consistency goal?

3. Are there common standards and modeling assumptions that can be developed to calculate TRM and CBM?

4. What are the most critical data to be exchanged among transmission providers to ensure that all are performing ATC calculations most accurately? How should that data be exchanged, what protocols should be used, and what forum should develop the protocols?

5. What is the most important data to make transparent? Regarding the Commission's proposal to require a narrative explanation for changes in monthly or yearly ATC, are there modifications that would achieve the Commission's transparency goals without imposing an undue burden on transmission providers? What ATC information posted in narrative form will be most beneficial?

6. Regarding the proposal to enhance OASIS postings, what are some industry tools/best practices that can be utilized to assist with this effort?

1:45 p.m.–2 p.m.—Break.

2 p.m.–4 p.m.—The Commission's Proposals Regarding Redispatch and Conditional Firm Service.

• Presentations by Panelists
(* Tentative Panelist):

Don Furman, PPM Energy, on behalf of American Wind Energy Association (AWEA).

Patricia Alexander, Consultant/ Energy, Dickstein Shapiro LLP, on Behalf of Electric Power Supply Association (EPSA).

John Lucas, Transmission Services Director, Southern Company Services, Inc.

Lauren Nichols-Kinas, Bonneville Power Administration (BPA).

Anthony Taylor, Director of Transmission, Williams Power Company, Inc.

*Natalie McIntire, Senior Policy Associate, Renewable Northwest Project.

• Panel discussion topics include related issues raised in the NOPR, as well as the following:

1. Are there improvements to the revised redispatch provision in the pro forma OATT (section 13.5) that are necessary to facilitate redispatch?

2. Would customers be willing to pay for the actual costs of redispatch in addition to the embedded costs of transmission to secure previously

unavailable long-term transmission rights? How can the Commission best remove discretion in calculating these costs and create a method for verifying them?

3. What tools are available to allow redispatch to occur using resources other than those owned by the transmission provider?

4. Should curtailments under conditional firm service be specified based on a number of hours per month, when certain transmission constraints or elements bind, when certain load levels are present, or some other factor? How would these different methods be studied and implemented? Which method is preferable from the perspective of the potential conditional firm transmission customers, the network customers and the transmission providers?

5. What curtailment priority should be assigned to conditional firm service? Would this require changes to NERC curtailment protocols? How should changes between firm and non-firm service be handled in real-time systems? Would changes need to be made to e-tags or OASIS?

6. Should conditional firm service be offered indefinitely, or only as a bridge product until transmission upgrades are complete?

[FR Doc. E6-16442 Filed 10-4-06; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 292

RIN 1076-AE81

Gaming on Trust Lands Acquired After October 17, 1988

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Indian Affairs proposes to establish procedures that an Indian tribe must follow in seeking to conduct gaming on lands acquired after October 17, 1988. The Indian Gaming Regulatory Act allows Indian tribes to conduct class II and class III gaming activities on land acquired after October 17, 1988, only if the land meets certain exceptions. This proposed rule establishes a process for submitting and considering applications from Indian tribes seeking to conduct class II or class III gaming activities on lands acquired in trust after October 17, 1988.

DATES: Comments must be received on or before December 4, 2006.

ADDRESSES: You may submit comments, identified by the number 1076-AE-81, by any of the following methods:

• *Federal rulemaking portal:* <http://www.regulations.gov> Follow the instructions for submitting comments.

• *Fax:* 202-273-3153.

• *Mail:* Mr. George Skibine, Director, Office of Indian Gaming Management, Office of the Deputy Assistant Secretary—Policy and Economic Development, 1849 C Street, NW., Mail Stop 3657-MIB, Washington, DC 20240.

• *Hand delivery:* Office of Indian Gaming Management, Office of the Deputy Assistant Secretary—Policy and Economic Development, 1849 C Street, NW, Room 3657-MIB, Washington, DC, from 9 a.m. to 4 p.m., Monday through Friday.

Comments on the information collection in this rule are separate from comments on the rule. If you wish to comment on the information collection, you may send a facsimile to (202) 395-6566. You may also e-mail comments to: OIRA_DOCKET@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: George Skibine, Director, Office of Indian Gaming Management, (202) 219-4066.

SUPPLEMENTARY INFORMATION: The authority to issue this document is vested in the Secretary of the Interior by 5 U.S.C. 301 and 25 U.S.C. 2, 9, and 2710. The Secretary has delegated this authority to the Principal Deputy Assistant Secretary—Indian Affairs by part 209 of the Departmental Manual.

Background

The Indian Gaming Regulatory Act (IGRA), 25 U.S.C. 2701-2721, was signed into law on October 17, 1988. Section 20 of IGRA, 25 U.S.C. 2719, prohibits gaming on lands that the Secretary of the Interior acquires in trust for an Indian tribe after October 17, 1988, unless the land qualifies under at least one of the exceptions contained in that section. If none of the exceptions in Section 20 applies, Section 20(b)(1)(A) of IGRA provides that gaming can still occur on the lands if:

(1) The Secretary consults with the Indian tribe and appropriate State and local officials, including officials of other nearby tribes;

(2) After consultation, the Secretary determines that a gaming establishment on newly acquired (trust) lands would be in the best interest of the Indian tribe and its members, and would not be detrimental to the surrounding community; and

(3) The Governor of the State in which the gaming activity is to be conducted concurs in the Secretary's determination.