

**Rate Schedule Pump-1-A**

Available to all customers of the Georgia-Alabama-South Carolina System and applicable to energy from pumping operations at the Carters and Richard B. Russell projects.

**Rate Schedule Pump-2**

Available to public bodies and cooperatives who provide their own scheduling arrangement and elect to allow Southeastern to use a portion of their allocation for pumping.

**Rate Schedule Regulation-1**

Available to public bodies and cooperatives in Georgia, Alabama,

Mississippi, Florida, South Carolina, or North Carolina to whom regulation service is provided pursuant to contracts between the Government and the customer.

**Rate Schedule Replacement-1**

Available to all customers in the Georgia-Alabama-South Carolina System and applicable to replacement energy.

The proposed rates for capacity, energy, and generation services are as follows:

- Capacity:* \$3.75 per kw per month.
- Energy:* 9.43 mills per kwh.

*Generation Services:* \$0.12 per kw per month.

Under this scenario, 75 per cent of generation revenues are recovered from capacity sales and 25 per cent are recovered from energy sales. These rates are expected to produce an average revenue increase of \$13.0 million in FY 2008 and all future years.

The rates for transmission, scheduling, reactive supply, and regulation and frequency response apply to all four scenarios and are illustrated in Table 1.

**SOUTHEASTERN POWER ADMINISTRATION PROPOSED RATES FOR TRANSMISSION SCHEDULING, REACTIVE, AND REGULATION CHARGES**

Rate schedule	Transmission charge \$/KW/month	Scheduling charge \$/KW/month	Reactive charge \$/KW/month	Regulation charge \$/KW/month
SOCO-1-C	2.17	0.0806	0.11	0.0483
SOCO-2-C	2.17	N/A	0.11	N/A
SOCO-3-C	N/A	0.0806	N/A	0.0483
SOCO-4-C	N/A	N/A	N/A	N/A
ALA-1-L	N/A	N/A	N/A	N/A
MISS-1-L	2.25	N/A	N/A	N/A
Duke-1-C	0.87	N/A	N/A	N/A
Duke-2-C	0.87	N/A	N/A	N/A
Duke-3-C	N/A	N/A	N/A	N/A
Duke-4-C	N/A	N/A	N/A	N/A
Santee-1-C	1.06	N/A	N/A	N/A
Santee-2-C	1.06	N/A	N/A	N/A
Santee-3-C	N/A	N/A	N/A	N/A
Santee-4-C	N/A	N/A	N/A	N/A
SCE&G-1-C	0.85	N/A	N/A	N/A
SCE&G-2-C	0.85	N/A	N/A	N/A
SCE&G-3-C	N/A	N/A	N/A	N/A
SCE&G-4-C	N/A	N/A	N/A	N/A
Pump-1-A	N/A	N/A	N/A	N/A
Pump-2	N/A	N/A	N/A	N/A
Regulation-1	N/A	N/A	N/A	0.05
Replacement-1	N/A	N/A	N/A	N/A

The referenced repayment studies are available for examination at 1166 Athens Tech Road, Elberton, Georgia 30635-6711. Proposed Rate Schedules SOCO-1-C, SOCO-2-C, SOCO-3-C, SOCO-4-C, ALA-1-L, MISS-1-L, Duke-1-C, Duke-2-C, Duke-3-C, Duke-4-C, Santee-1-C, Santee-2-C, Santee-3-C, Santee-4-C, SCE&G-1-C, SCE&G-2-C, SCE&G-3-C, SCE&G-4-C, Pump-1-A, Pump-2, Regulation-1, and Replacement-1 are also available.

Dated: March 26, 2007.

**Jon C. Worthington,**

*Administrator.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8295-3]

**Proposed Consent Decree, Clean Air Act Citizen Suit**

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree, to address a lawsuit filed by Rocky Mountain Clean Air Action and Jeremy Nichols (collectively "Plaintiffs"): *Rocky Mountain Clean Air Action, et al. v. Johnson*, No. 06-01992 (D. D.C.). Plaintiffs filed deadline suits

to compel the Administrator to respond to petitions seeking EPA's objection to CAA Title V operating permits filed in 2005 for the Public Service Company's Fort Saint Vrain Power Station ("Ft. St. Vrain Station") in Colorado and in 2006 for the GCC Dacotah cement plant ("GCC Dacotah") in South Dakota. Under the terms of the proposed consent decree, EPA has agreed to respond to the GCC Dacotah petition by June 15, 2007, and the Ft. St. Vrain Station petition is dismissed as moot because EPA took final action on February 5, 2007.

**DATES:** Written comments on the proposed consent decree must be received by May 4, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2007-0267, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred

method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** David Orlin, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-1222; fax number (202) 564-5603; e-mail address: [orlin.david@epa.gov](mailto:orlin.david@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information About the Proposed Consent Decree**

This proposed consent decree would resolve a lawsuit seeking a response to petitions to object to CAA Title V permits issued to the Ft. St. Vrain Station in Colorado and the GCC Dacotah plant in South Dakota. On February 5, 2007, EPA took final action on Plaintiffs' CAA Title V petition regarding Ft. St. Vrain Station. See 72 FR 13277 (Mar. 21, 2007). Under the consent decree, Plaintiffs' claim for relief for Ft. St. Vrain petition will be dismissed as moot except as to the issue of costs of litigation, including attorneys' fees. No later than June 15, 2007, EPA shall sign a decision, pursuant to 42 U.S.C. 7661d(b)(2), taking final action on Plaintiffs' petition on the GCC Dacotah permit. During a 60-day period after the decree is entered by the court, the parties shall seek to informally resolve any claim for litigation costs, including attorneys' fees, and if they cannot, Plaintiffs may seek such costs from the Court.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed consent decree from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless

EPA or the Department of Justice determines, based on any comment which may be submitted, that consent to the consent decree should be withdrawn, the terms of the decree will be affirmed.

**II. Additional Information About Commenting on the Proposed Consent Decree**

**A. How Can I Get A Copy of the Consent Decree?**

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2007-0267) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through [www.regulations.gov](http://www.regulations.gov). You may use the [www.regulations.gov](http://www.regulations.gov) 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. Once in the system, select "search," then key in the appropriate docket identification number.

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 online at [www.regulations.gov](http://www.regulations.gov) without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

**B. How and To Whom Do I Submit Comments?**

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the [www.regulations.gov](http://www.regulations.gov) Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: March 29, 2007.

**Richard B. Ossias,**

*Associate General Counsel.*

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