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#### List of Subjects in 18 CFR Part 35

Electric power rates, Electric utilities, Reporting and recordkeeping requirements.

By the Commission.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E8-20546 Filed 9-4-08; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-161695-04]

RIN 1545-BE23

#### Farmer and Fisherman Income Averaging; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to notice of proposed rulemaking by cross-reference to temporary regulations.

**SUMMARY:** This document corrects a notice of proposed rulemaking by cross-reference to temporary regulations (REG-161695-04) that was published in the **Federal Register** on Tuesday, July 22, 2008 (73 FR 42538) relating to the averaging of farm and fishing income in computing income tax liability.

**FOR FURTHER INFORMATION CONTACT:** Amy Pfalzgraf, (202) 622-4960 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

#### Background

The notice of proposed rulemaking by cross-reference to temporary regulations (REG-161695-04) that is the subject of this correction is under section 1301 of the Internal Revenue Code.

#### Need for Correction

As published, REG-161695-04 contains an error that may prove to be misleading and is in need of clarification.

#### Correction of Publication

Accordingly, the publication of the proposed rulemaking by cross-reference to temporary regulations (REG-161695-04), which was the subject of FR Doc. E8-16664, is corrected as follows:

On page 42538, column 2, in the preamble, under the caption "For Further Information Contact", line 2, the language "Amy Pfalzgraf, (202) 622-4950 (not a" is corrected to read "Amy Pfalzgraf (202) 622-4960 (not a".

**LaNita Van Dyke,**

*Chief, Publications and Regulations Branch,  
Legal Processing Division, Associate Chief  
Counsel, (Procedure and Administration).*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 226

[Docket No. 0808061060-81062-01]

RIN 0648-AW77

#### Endangered and Threatened Species; Proposed Critical Habitat for the Gulf of Maine Distinct Population Segment of Atlantic Salmon

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** We, the National Marine Fisheries Service (NMFS), propose to designate critical habitat for the Gulf of Maine Distinct Population Segment (GOM DPS) of Atlantic salmon (*Salmo salar*). We previously determined that naturally spawned and several hatchery populations of Atlantic salmon which constituted the GOM DPS warrant listing as endangered under the Endangered Species Act of 1973, as amended (ESA). We are required to designate critical habitat for the GOM

DPS as a result of this listing. We propose to designate as critical habitat 45 specific areas occupied by Atlantic salmon at the time of listing that comprise approximately 203,781 km of perennial river, stream, and estuary habitat and 868 square km of lake habitat within the range of the GOM DPS and on which are found those physical and biological features essential to the conservation of the species. The entire occupied range of the GOM DPS in which critical habitat is being proposed is within the State of Maine. We propose to exclude approximately 1,463 km of river, stream, and estuary habitat and 115 square km of lake habitat from critical habitat pursuant to section 4(b)(2) of the ESA.

**DATES:** Comments on this proposal must be received by November 4, 2008. Two public hearings on the proposed rule will be held in conjunction with the Atlantic salmon proposed listing rule (See the notice, Proposed Endangered Status for the Gulf of Maine Distinct Population Segment of Atlantic Salmon, published in the Proposed Rules section of the September 3, 2008, issue of the **Federal Register**) and we will alert the public of the locations and dates of those hearings in a subsequent **Federal Register** notice.

**ADDRESSES:** You may submit comments, identified by RIN 0648-AW77, by any of the following methods:

- Electronic Submission: Submit all electronic public comments via the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Mail: Assistant Regional Administrator, Protected Resources Division, NMFS, Northeast Regional Office, Protected Resources Division, One Blackburn Drive, Gloucester, MA 01930.

• Facsimile (fax) to: 207-866-7342, Attention: Dan Kircheis.

**Instructions:** All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All personal identifying information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, Word Perfect, or Adobe PDF file formats only.

The proposed rule, list of references and supporting documents, including