

NMFS's Alaska Region issued a Biological Opinion on July 26, 2018 to NMFS's Office of Protected Resources which concluded that the Ketchikan Berth IV Expansion project is not likely to jeopardize the continued existence of Mexico DPS humpback whales or adversely modify critical habitat because none exists within the action area.

### National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our action (*i.e.*, the issuance of an incidental harassment authorization) with respect to potential impacts on the human environment. This action is consistent with categories of activities identified in Categorical Exclusion B4 (incidental harassment authorizations with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

### Authorization

As a result of these determinations, we have issued an IHA to ADOT&PF for conducting the described construction activities related to city dock and ferry terminal improvements from June 1, 2019 through May 31, 2020 provided the previously described mitigation, monitoring, and reporting requirements are incorporated.

Dated: July 27, 2018.

**Elaine T. Saiz,**

*Acting Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2018-16473 Filed 7-31-18; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. PTO-P-2018-0046]

### Patent Public Advisory Committee Public Hearing on the Proposed Patent Fee Schedule

**AGENCY:** United States Patent and Trademark Office, Department of Commerce.

**ACTION:** Notice of public hearing.

**SUMMARY:** Under Section 10 of the America Invents Act (AIA), the United States Patent and Trademark Office (USPTO) may set or adjust by rule any patent or trademark fee established, authorized, or charged, respectively.

The USPTO currently is planning to propose to set or adjust patent fees pursuant to its Section 10 fee setting authority. As part of the rulemaking process to set or adjust patent fees, the Patent Public Advisory Committee (PPAC) is required under Section 10 of the AIA to hold a public hearing about any proposed patent fees, and the USPTO is required to assist PPAC in carrying out that hearing. To that end, the USPTO will make its proposed patent fees available as set forth in the Supplementary Information section of this Notice before any PPAC hearing and will help the PPAC to notify the public about the hearing. Accordingly, this document announces the dates and logistics for the PPAC public hearing regarding USPTO proposed patent fees. Interested members of the public are invited to testify at the hearing and/or submit written comments about the proposed patent fees and the questions posed on PPAC's website about the proposed fees.

**DATES:** Public hearing: September 6, 2018.

**Comments:** For those wishing to submit written comments on the fee proposal that will be published by August 29, 2018, the deadline for receipt of those written comments is September 13, 2018.

**ADDRESSES:** Public hearing: The PPAC will hold a public hearing on September 6, 2018 beginning at 9:00 a.m., Eastern Standard Time (EST), and ending at 11:00 a.m., EST, at the USPTO, Madison Auditorium North, Concourse Level, Madison Building, 600 Dulany Street, Alexandria, Virginia 22314.

Written comments may be submitted by email addressed to [fee.setting@uspto.gov](mailto:fee.setting@uspto.gov) or by postal mail to United States Patent and Trademark Office, Mail Stop CFO, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Brendan Hourigan.

Although comments may be submitted by postal mail, the USPTO prefers to receive comments via email. Written comments should be identified in the subject line of the email or postal mailing as "Fee Setting."

Because comments will be made available for public inspection, information that is not desired to be made public, such as an address or telephone number, should not be included in the comments.

**Web cast:** The public hearing will be available via Web cast. Information about the Web cast will be posted on the USPTO's internet website ([www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting](http://www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting)) before the public hearing.

**Transcripts:** Transcript of the hearing will be available on the USPTO internet website ([www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting](http://www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting)) shortly after the hearing.

**FOR FURTHER INFORMATION CONTACT:** Brendan Hourigan, Office of the Chief Financial Officer, by phone (571) 272-8966, or by email at [brendan.hourigan@uspto.gov](mailto:brendan.hourigan@uspto.gov).

**SUPPLEMENTARY INFORMATION:** Effective September 16, 2011, with the passage of the AIA, the USPTO is authorized under Section 10 of the AIA to set or adjust by rule all patent and trademark fees established, authorized, or charged under Title 35 of the United States Code and the Trademark Act of 1946, respectively. Patent and trademark fees set or adjusted by rule under Section 10 of the AIA may only recover the aggregate estimated costs to the Office for processing, activities, services, and materials relating to patents and trademarks, respectively, including administrative costs of the Office with respect to each as the case may be. Congress set forth the process for the USPTO to follow in setting or adjusting patent and trademark fees by rule under Section 10 of the AIA, including additional procedural steps in the rulemaking proceeding for the issuance of regulations under this section. In particular, Congress requires the relevant advisory committee to hold a public hearing about the USPTO fee proposals after receiving them from the agency. Congress likewise requires the relevant advisory committee to prepare a written report on the proposed fees and the USPTO to consider the relevant advisory committee's report before finally setting or adjusting the fees.

Presently, the USPTO is planning to exercise its fee setting authority to set or adjust patent fees. As part of the rulemaking proceeding for the issuance of regulations under Section 10, the USPTO will publish a proposed patent fee schedule and related supplementary information for public viewing no later than August 29, 2018, on the USPTO internet website (address: [www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting](http://www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting)). In turn, the PPAC will hold a public hearing about the proposed patent fee schedule on the date indicated herein. The USPTO will assist the PPAC in holding the hearing by providing

resources to organize the hearing and by notifying the public about the hearing, such as through this notice. Following the PPAC public hearing, the USPTO will publish a Notice of Proposed Rulemaking in the **Federal Register**, setting forth its proposed patent fees.

#### Requests to Present Oral Testimony

Interested members of the public are invited to testify at the PPAC hearing about the proposed patent fees and the questions posed on PPAC's website about the proposed fees. Those wishing to present oral testimony at the hearing must submit a request in writing no later than August 29, 2018. Requests to testify should indicate the following: (1) The name of the person wishing to testify; (2) the person's contact information (telephone number and email address); (3) the organization(s) the person represents, if any; and (4) an indication of the amount of time needed for the testimony. Requests to testify must be submitted by email to Jennifer Lo at [Jennifer.Lo@uspto.gov](mailto:Jennifer.Lo@uspto.gov). Speakers providing testimony at the hearing should submit a written copy of their testimony for inclusion in the record of the proceedings no later than September 13, 2018.

Based upon the requests received, an agenda for witness testimony will be sent to testifying requesters and posted on the USPTO internet website (address: [www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting](http://www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting)). If time permits, the PPAC may permit unscheduled testimony as well.

Dated: July 25, 2018.

#### Andrei Iancu,

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. 2018-16432 Filed 7-31-18; 8:45 am]

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## DEPARTMENT OF ENERGY

### State Energy Advisory Board (STEAB)

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

**ACTION:** Notice of open teleconference.

**SUMMARY:** This notice announces a teleconference call of the State Energy Advisory Board (STEAB). The Federal Advisory Committee Act requires that public notice of these meetings be announced in the **Federal Register**.

**DATES:** Thursday, August 16, 2018 from 2:00 p.m. to 3:00 p.m. (EDT). To receive the call-in number and passcode, please contact the Board's Designated Federal

Officer at the address or phone number listed below.

**FOR FURTHER INFORMATION CONTACT:** Michael Li, Designated Federal Officer, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Ave. SW, Washington, DC 20585. Phone number 202-287-5718; and email: [michael.li@ee.doe.gov](mailto:michael.li@ee.doe.gov).

#### SUPPLEMENTARY INFORMATION:

*Purpose of the Board:* To make recommendations to the Assistant Secretary for the Office of Energy Efficiency and Renewable Energy regarding goals and objectives, programmatic and administrative policies, and to otherwise carry out the Board's responsibilities as designated in the State Energy Efficiency Programs Improvement Act of 1990 (Pub. L. 101-440).

*Tentative Agenda:* Welcome new STEAB members. Discuss recommendations from STEAB to the Assistant Secretary for the Office of Energy Efficiency and Renewable Energy.

*Public Participation:* The meeting is open to the public. Written statements may be filed with the Board either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Michael Li at the address or telephone number listed above. Requests to make oral comments must be received five days prior to the meeting; reasonable provision will be made to include requested topic(s) on the agenda. The Chair of the Board is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Issued at Washington, DC, on July 27, 2018.

#### Latanya Butler,

*Deputy Committee Management Officer.*

[FR Doc. 2018-16458 Filed 7-31-18; 8:45 am]

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## DEPARTMENT OF ENERGY

### Notice of Request for Information (RFI) on National Offshore Wind Energy R&D Test Facilities

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

**ACTION:** Request for information (RFI).

**SUMMARY:** The U.S. Department of Energy (DOE) invites public comment on its Request for Information (RFI) regarding national-level test facilities for

offshore wind-specific research and development. The Wind Energy Technologies Office (WETO) is seeking information on facilities that can conduct unique offshore wind research and development (R&D) in the U.S., what upgrades to existing facilities or new facilities are needed for the U.S. to be at the cutting edge of offshore wind R&D, and what specific tests and analyses could be carried out at existing, upgraded, or new facilities in order to advance the U.S. offshore wind industry.

**DATES:** Responses to the RFI must be received by September 14, 2018.

**ADDRESSES:** Interested parties are to submit comments electronically to [osw.rfi@ee.doe.gov](mailto:osw.rfi@ee.doe.gov). Include "National Offshore Wind Energy R&D Test Facilities" in the subject of the title. Responses must be provided as attachments to an email. It is recommended that attachments with file sizes exceeding 25MB be compressed (*i.e.*, zipped) to ensure message delivery. Responses must be provided as a Microsoft Word (.docx) attachment to the email, and no more than 10 pages in length, 12 point font, 1 inch margins. Only electronic responses will be accepted. The complete RFI document is located at <https://eere-exchange.energy.gov/>.

#### FOR FURTHER INFORMATION CONTACT:

Questions may be addressed to Alana Duerr, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, (202) 287-6953, or [osw.rfi@ee.doe.gov](mailto:osw.rfi@ee.doe.gov). Further instruction can be found in the RFI document number DE-FOA-0001963 posted on EERE Exchange (<https://eere-exchange.energy.gov/>).

**SUPPLEMENTARY INFORMATION:** The purpose of this RFI is to solicit feedback from industry, academia, research laboratories, government agencies, and other stakeholders on issues related to national offshore wind test facilities. WETO is specifically interested in information on: The facilities in the U.S. that are available for offshore wind-specific experimentation and testing; facilities upgrades or new facilities that are required in the U.S. for offshore wind testing in order to perform cutting edge R&D; and, the most pressing R&D needs that would utilize existing, upgraded, or new U.S. offshore wind specific facilities. The RFI is available at: <https://eere-exchange.energy.gov/>

#### Confidential Business Information

Because information received in response to this RFI may be used to structure future programs, funding and/or otherwise be made available to the