

TABLE 2.—TWO-STEP OPTION—FIRM ELECTRIC SERVICE REVENUE REQUIREMENT AND RATES

Firm electric service	Existing rates	First step rates Jan. 1, 2004	Percent change	Second step rates Oct. 1, 2004	Percent change
P-SMBP-ED Revenue Requirement	\$135.2 million .....	\$154.9 million .....	14.6	\$159.5 million .....	3.4
P-SMBP-ED Composite Rate .....	14.23 mills/kWh .....	15.98 mills/kWh .....	12.3	16.45 mills/kWh .....	3.3
Firm Capacity .....	\$3.20/kW month .....	\$3.60/kW month .....	12.5	\$3.71/kW month .....	3.4
Firm Energy .....	8.32 mills/kWh .....	9.31 mills/kWh .....	11.9	9.58 mills/kWh .....	3.3
Tiered > 60 Percent Load Factor .....	3.38 mills/kWh .....	7.23 mills/kWh .....	113.9	7.23 mills/kWh .....	0.0
Firm Peaking Capacity .....	\$3.20/kW month .....	\$3.60/kW month .....	12.5	\$3.71/kW month .....	3.4
Firm Peaking Energy <sup>1</sup> .....	8.32 mills/kWh .....	9.31 mills/kWh .....	11.9	9.58 mills/kWh .....	3.3

<sup>1</sup> Firm Peaking Energy is normally returned. This rate will be assessed in the event Firm Peaking Energy is not returned.

Since the proposed rates constitute a major adjustment as defined by the procedures for public participation in general rate adjustments, as cited below, Western will hold both a public information forum and a public comment forum. After review of public comments, and possible amendments or adjustments, Western will recommend the proposed rates for approval on an interim basis by the DOE Deputy Secretary.

These firm electric service rates for P-SMBP-ED are being established pursuant to the Department of Energy Organization Act, 42 U.S.C. 7101-7352; the Reclamation Act of 1902, ch. 1093, 32 Stat. 388, as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939, 43 U.S.C. 485h(c); and other acts specifically applicable to the projects involved.

By Delegation Order No. 00-037.00, approved December 6, 2001, the DOE Secretary of Energy delegated: (1) The authority to develop power and transmission rates on a nonexclusive basis to Western's Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to FERC. Existing DOE procedures for public participation in power rate adjustments (10 CFR part 903) became effective on September 18, 1985 (50 FR 37835).

#### Availability of Information

All brochures, studies, comments, letters, memorandums, or other documents made or kept by Western in developing the proposed rates are available for inspection and copying at the Upper Great Plains Regional Office, located at 2900 4th Avenue North, Billings, Montana. Many of these documents and supporting information are also available on our Web site under the "2004 Rate Adjustment" section

located at <http://www.wapa.gov/ugp/rates/2004RateAdj/Default.htm>.

#### Regulatory Procedure Requirements

##### Regulatory Flexibility Analysis

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601, *et seq.*) requires Federal agencies to perform a regulatory flexibility analysis if a final rule is likely to have a significant economic impact on a substantial number of small entities and there is a legal requirement to issue a general notice of proposed rulemaking. This action does not require a regulatory flexibility analysis since it is a rulemaking involving rates or services applicable to public property.

#### Environmental Compliance

In compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321, *et seq.*); Council on Environmental Quality Regulations (40 CFR parts 1500-1508); and DOE NEPA Regulations (10 CFR part 1021), Western has determined that this action is categorically excluded from preparing an environmental assessment or an environmental impact statement.

#### Determination Under Executive Order 12866

Western has an exemption from centralized regulatory review under Executive Order 12866; so this notice requires no clearance by the Office of Management and Budget.

#### Small Business Regulatory Enforcement Fairness Act

Western has determined that this rule is exempt from congressional notification requirements under 5 U.S.C. 801 because the action is a rulemaking of particular applicability relating to rates or services and involves matters of procedure.

Dated: May 30, 2003.

**Michael S. Hacsckaylo**,  
Administrator.

[FR Doc. 03-14949 Filed 6-12-03; 8:45 am]

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## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Pick-Sloan Missouri Basin Program—Eastern Division—Order Confirming and Approving an Extension of the Transmission Service Rate Schedules—Rate Order No. WAPA-100

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of rate order.

**SUMMARY:** This action is to extend the existing Pick-Sloan Missouri Basin Program—Eastern Division (P-SMBP-ED) Transmission Service Rate Schedules (UGP-AS1, UGP-AS2, UGP-AS3, UGP-AS4, UGP-AS5, UGP-AS6, UGP-FTP1, UGP-NFPT1, and UGP-NT1 of Rate Order No. WAPA-79, through September 30, 2005. The existing Transmission Service Rate Schedules will expire on July 31, 2003. These Transmission Service Schedules contain formulary rates that are recalculated from yearly updated financial and load data. Rate Order No. WAPA-79 is extended under Rate Order No. WAPA-100.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert F. Riehl, Power Marketing Manager, Upper Great Plains Customer Service Region, Western Area Power Administration, P.O. Box 35800, Billings, MT 59107-5800, (406) 247-7388, or e-mail [riehl@wapa.gov](mailto:riehl@wapa.gov).

**SUPPLEMENTARY INFORMATION:** By Delegation Order No. 00-037.00 effective December 6, 2001, the Secretary of Energy delegated (1) The authority to develop power and transmission rates on a non-exclusive basis to Western's Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the Federal Energy Regulatory Commission (FERC).

Pursuant to Delegation Order No. 0204-108 and existing Department of

Energy procedures for public participation in rate adjustments at 10 CFR part 903, Western's P-SMBP-ED Transmission Service Rate Schedules were submitted to FERC for confirmation and approval on August 3, 1998. On November 25, 1998, in Docket No. EF98-5031-000 at 85 FERC ¶ 61,273, the FERC issued an order confirming, approving, and placing into effect on a final basis the current Transmission Service Rate Schedules for the P-SMBP-ED. The FERC issued an order denying rehearing and rejecting an untimely request for rehearing on the Transmission Service Rate Schedules on April 12, 2002, in Docket No. EF98-5031-001 at 99 FERC ¶ 61,055. The Transmission Service Rate Schedules, Rate Order No. WAPA-79, were approved for 5 years beginning August 1, 1998, and ending July 31, 2003.

Western is currently evaluating several options for joining a FERC-approved Regional Transmission Organization. That decision could redefine our current rate provisions. Therefore, Western believes it is premature to proceed with a formal rate process at this time. Extending the existing Transmission Service Rate Schedules UGP-AS1, UGP-AS2, UGP-AS3, UGP-AS4, UGP-AS5, UGP-AS6, UGP-FTP1, UGP-NFPT1, and UGP-NT1 to September 30, 2005, should provide enough time to complete our evaluation process. Western proposes to extend the current rate schedules pursuant to 10 CFR part 903.23. Upon its approval, Rate Order No. WAPA-79 will be extended under Rate Order No. WAPA-100.

Western's existing formulary Transmission Service Rate Schedules, which are recalculated annually, would sufficiently recover project expenses (including interest) and capital requirements through September 30, 2005.

Consistent with 10 CFR 903.23(a), Western did not have a consultation and comment period. The notice of an extension of the Transmission Service Rate Schedules was published in the **Federal Register** on March 4, 2003.

Following review of Western's proposal within the Department of Energy, I approved Rate Order No. WAPA-100, which extends the existing Transmission Service Rate Schedules UGP-AS1, UGP-AS2, UGP-AS3, UGP-AS4, UGP-AS5, UGP-AS6, UGP-FTP1, UGP-NFPT1, and UGP-NT1 on an interim basis through September 30, 2005. Rate Order No. WAPA-100 will be submitted to FERC for confirmation and approval on a final basis.

Dated: June 4, 2003.

**Kyle E. McSlarrow,**

*Deputy Secretary.*

In the matter of: Western Area Power Administration Rate Extension for Pick-Sloan Missouri Basin Program—Eastern Division Transmission Service Rate Schedules

This rate extension was established following section 302(a) of the Department of Energy (DOE) Organization Act, 42 U.S.C. 7152(a), (Act). This Act transferred to and vested in the Secretary of Energy (Secretary) the power marketing functions of the Secretary of the Department of the Interior and the Bureau of Reclamation under the Reclamation Act of 1902, (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent enactments, particularly section 9(c) and other acts that specifically apply to the project involved.

By Delegation Order No. 00-037.00 effective December 6, 2001, the Secretary of Energy delegated (1) the authority to develop long-term power and transmission rates on a non-exclusive basis to the Administrator of the Western Area Power Administration (Western); (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the Federal Energy Regulatory Commission (FERC). This rate extension is issued following the Delegation Order and the DOE rate extension procedures at 10 CFR part 903.

### Background

On November 25, 1998, in Docket No. EF98-5031-000 at 85 FERC ¶ 61,273, the FERC issued an order confirming, approving, and placing into effect on a final basis the Transmission Service Rate Schedules UGP-AS1, UGP-AS2, UGP-AS3, UGP-AS4, UGP-AS5, UGP-AS6, UGP-FTP1, UGP-NFPT1, and UGP-NT1 for the Pick-Sloan Missouri Basin Program—Eastern Division (P-SMBP-ED). The Transmission Service Rate Schedules, Rate order No. WAPA-79, were approved for 5 years beginning August 1, 1998, through July 31, 2003. The FERC issued an order denying rehearing and rejecting an untimely request for rehearing on the Transmission Service Rate Schedules on April 12, 2002, in Docket No. EF98-5031-001 at 99 FERC ¶ 61,055. On July 31, 2003, the P-SMBP-ED Transmission Service Rate Schedules will expire. This makes it necessary to extend the current rates pursuant to 10 CFR part 903. With

this approval, Rate Order No. WAPA-79 will be extended under Rate Order WAPA-100. A notice of an extension of the Transmission Service Rate Schedules was published in the **Federal Register** on March 4, 2003. Therefore, Western is extending P-SMBP-ED Transmission Service Rate Schedules under Rate Order No. WAPA-100.

### Discussion

On July 31, 2003, the Western's P-SMBP-ED Transmission Service Rate Schedules expire. This makes it necessary to extend the current Rate Schedules, UGP-AS1, UGP-AS2, UGP-AS3, UGP-AS4, UGP-AS5, UGP-AS6, UGP-FTP1, UGP-NFPT1, and UGP-NT1, under 10 CFR part 903.23(a). Western's existing formulary Transmission Service Rate Schedules, which are recalculated annually, would sufficiently recover project expenses (including interest) and capital requirements through September 30, 2005.

Western proposes to extend the existing the P-SMBP-ED Transmission Service Rate Schedules through September 30, 2005. Western is currently evaluating several options for joining a FERC-approved Regional Transmission Organization. That decision could redefine our current rate provisions. Therefore, Western believes it is premature to proceed with a formal rate process at this time. Extending the existing Transmission Service Rate Schedules to September 30, 2005, should provide enough time to complete our evaluation process.

Consistent with 10 CFR part 903.23(a), Western did not have a consultation and comment period. The notice of proposed extension of the Transmission Service Rate Schedules was published in the **Federal Register** on March 4, 2003.

### Order

In view of the above and under the authority delegated to me by the Secretary, I hereby extend for a period effective from August 1, 2003, and ending September 30, 2005, the existing Transmission Rate Schedules UGP-AS1, UGP-AS2, UGP-AS3, UGP-AS4, UGP-AS5, UGP-AS6, UGP-FTP1, UGP-NFPT1, and UGP-NT1 on an interim basis for transmission service for the P-SMBP-ED. The existing Transmission Rate Schedules UGP-AS1, UGP-AS2, UGP-AS3, UGP-AS4, UGP-AS5, UGP-AS6, UGP-FTP1, UGP-NFPT1, and UGP-NT1 for transmission service for the P-SMBP-ED, shall remain in effect pending FERC confirmation and approval of their extension or substitute

rates on a final basis through September 30, 2005.

Dated: June 4, 2003.

**Kyle E. McSlarrow,**

*Deputy Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6640-9]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 or <http://epa.gov/compliance/nepa/>. Weekly receipt of Environmental Impact Statements, filed June 2, 2003, through June 6, 2003. Pursuant to 40 CFR 1506.9.

*EIS No. 030258, FINAL SUPPLEMENT, AFS, MT, Keystone-Quartz Ecosystem Management Plan, Implementation, updated information on alternatives, Beaverhead-Deerlodge National Forest, Wise River Ranger District, Beaverhead County, MT, wait period ends: July 14, 2003, contact: Greg Clark (406) 683-3935.*

*EIS No. 030259, DRAFT EIS, FHW, NJ, Penns Neck Area Project, Phase I Archeological Survey, located in West Windsor and Princeton Townships, Mercer County, and Plainboro Township, Middlesex County, NJ, due: comment period ends: August 1, 2003, contact: Young Kim (609) 637-4233.*

*EIS No. 030260, DRAFT EIS, FHW, OH, Butler County, OH-63 Extension to U.S. 127 (Trenton area access), construction of a multi-lane limited access, divided highway on new alignment from east of OH-41/OH-63 interchange in the city of Monroe, Butler County, OH, comment period ends: July 28, 2003, contact: Larry Anderson (614) 469-6896.*

*EIS No. 030261, DRAFT EIS, NPS, MT, Glacier National Park Commercial Services Plan, General Management Plan, implementation, Glacier National Park, a portion of Waterton-Glacier International Peace Park, Flathead and Glacier Counties, MT, comment period ends: July 30, 2003, contact: Mary Riddle (406) 888-7898.*

*EIS No. 030262, FINAL EIS, NPS, MO, Wilson's Creek National Battlefield General Management Plan, implementation, Battle of Wilson's Creek commemoration and associated battlefield preservation, Greene and Christian Counties, MO, wait period ends: July 14, 2003, contact: Nick*

*Chevance (402) 221-7286. This document is available on the Internet at: <http://www.nps.gov/glac/plans.htm>.*

*EIS No. 030263, DRAFT SUPPLEMENT, AFS, CA, NV, Sierra Nevada Forest Plan Amendment, new information on a range of alternatives for amending land and resource management plans, Modoc, Lasser, Plumas, Tahoe, Eldorado, Stanislaus, Sequoia, Sierra, Inyo and Humboldt-Toiyabe National Forests, and the Lake Tahoe Basin Management Unit, several counties, CA and NV, comment period ends: September 12, 2003, contact: Kathleen Morse (907) 562-8822.*

*EIS No. 030264, DRAFT EIS, AFS, CO, Upper Blue Stewardship Project, vegetation management, travel management, and dispersed camping sites designation, implementation, U.S. Army COE 404 permit, White River National Forest, Dillon Ranger District, Summit County, CO, comment period ends: July 28, 2003, contact: Peech Keller (970) 468-5400.*

*EIS No. 030265, DRAFT EIS, AFS, SD, Prairie Project Area, (Lower Rapid Creek Area) multiple resource management actions, implementation, Black Hills National Forest, Mystic Ranger District, Pennington County, ID, comment period ends: July 28, 2003, contact: Robert Thompson (605) 343-1567.*

*EIS No. 030266, DRAFT EIS, EPA, OSM, SFW, COE, WVEP, WV, KY, VA, TN, Programmatic EIS—Mountaintop Mining and Valley Fills program guidance, policies or regulations to minimize adverse environmental effects to waters of the U.S. and fish and wildlife resources, implementation, Appalachia, Appalachian study area, WV, KY, VA and TN, comment period ends: August 29, 2003, contacts: John Forren (EPA) (215) 814-2705, Katherine Trott (COE) 202-761-4617, Michael Robinson (DOI/OSM) 412-937-2882, Cindy Tibbott (DOI/FWS) 814-234-4090 and Russell Hunter (WV Dept. of EP) 304-759-0510. This document is available on the Internet at: <http://www.epa.gov/region3/mntop/index.htm>. U.S. Army Corps of Engineers, U.S. Department of the Interior's Office of Surface Mining and Fish and Wildlife Service, U.S. Environmental Protection Agency and the West Virginia Department of Environmental Protection are joint lead agencies for the above project.*

*EIS No. 030267, Draft EIS, BLM, CA, West Mojave Plan, Habitat Conservation Plan and Federal Land*

*Use Plan Amendment, implementation, California Desert Conservation Area, portions of San Bernardino, Kern, Inyo, and Los Angeles Cos., CA, comment period ends: September 12, 2003, contact: William Haigh (760) 252-6080.*

*EIS No. 030268, FINAL SUPPLEMENT, AFS, ID, Brown Creek Timber Sale Project, reviewing and updating information regarding the pileated woodpecker and soil impacts, Payette National Forest, New Meadow Ranger District, Adam County, ID, wait period ends: July 14, 2003, contact: Bob Giles (208) 634-0700. This document is available on the Internet at: <http://www.fs.fed.us/r4/payette/main.html>.*

*EIS No. 030269, FINAL SUPPLEMENT, AFS, ID, Little Weiser Landscape Vegetation Management Project, reviewing and updating information regarding the pileated woodpecker and soil impacts, Payette National Forest, Adam County, ID, wait period ends: July 14, 2003, contact: Bob Giles (208) 634-0700. This document is available on the Internet at: <http://www.fs.fed.us/r4/payette/main.html>.*

*EIS No. 030270, FINAL SUPPLEMENT, AFS, ID, Sloan-Kennally Timber Sale Project, reviewing and updating information regarding the pileated woodpecker and soil impacts, Payette National Forest, McCall Ranger District, Adam County, ID, wait period ends: July 14, 2003, contact: Bob Giles (208) 634-0700. This document is available on the Internet at: <http://www.fs.fed.us/r4/Payette/main.html>.*

*EIS No. 030271, FINAL SUPPLEMENT, AFS, ID, Middle Fork Weiser River Watershed Project, reviewing and updating information regarding the pileated woodpecker and soil impacts, Payette National Forest, Council Ranger District, Adam County, ID, wait period ends: July 14, 2003, contact: Curt Spalding (208) 634-0700. This document is available on the Internet at: <http://www.fs.fed.us/r4/Payette/main.html>.*

*EIS No. 030272, FINAL SUPPLEMENT, AFS, ID, Goose Creek Watershed Project, reviewing and updating information regarding the pileated woodpecker and soil impacts, Payette National Forest, New Meadows Ranger District, Adam County, ID, wait period ends: July 14, 2003, contact: Curt Spalding (208) 634-0700. This document is available on the Internet at: <http://www.fs.fed.us/r4/Payette/main.html>.*

*EIS No. 030273, DRAFT SUPPLEMENT, AFS, CA, OR, Port-Orford-Cedar Management Plan, implementation,*