

Comment Date: June 11, 2003.

Standard Paragraph

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's rules of practice and procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "RIMS" link, select "Docket #" and follow the instructions (call 202-208-2222 for assistance). Protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No RM93-11-000]

Revisions to Oil Pipeline Regulations Pursuant to the Energy Policy Act of 1992; Notice of Annual Change in the Producer Price Index for Finished Goods

May 19, 2003.

The Commission's regulations include a methodology for oil pipelines to change their rates through use of an index system that establishes ceiling levels for such rates. The index system as set forth at 18 CFR 342.3 is based on the annual change in the Producer Price Index for Finished Goods (PPI-FG). 19 CFR 342.3(d)(2) provides that the oil pricing index to be used is PPI-FG minus 1 percent. However, on February 24, 2003, the Commission issued an Order on Remand of its Five-Year Review of Oil Pricing Index in Docket Nos. RM00-11-000 and -001 which

determined that the appropriate oil pricing index should be PPI without the minus 1 per cent adjustment.¹ The regulations provide that each year the Commission will publish an index reflecting the final change in the PPI-FG, after the final PPI-FG is made available by the Bureau of Labor Statistics in May of each calendar year.

The annual average PPI-FG index figure for 2001 was 140.7 and the annual average PPI-FG index figure for 2002 was 138.9.² Thus, the percent change (expressed as a decimal) in the annual average PPI-FG from 2001 to 2002 is negative 0.012793.³ Oil pipelines must multiply their July 1, 2002—June 30, 2003, index ceiling levels by negative 0.987207⁴ to compute their index ceiling levels for the period July 1, 2003, through June 30, 2004, in accordance with 18 CFR 342.3(d). For guidance in calculating the ceiling levels for each period beginning January 1, 1995,⁵ see Explorer Pipeline Company, 71 FERC 61,416 at n.6 (1995).

Document Availability

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view or print the contents of this document via the Internet through FERC's home page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5 p.m. eastern time) at 888 First Street, NE., Room 2A, Washington, DC 20426.

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¹ 102 FERC ¶ 61,195 at P 1 (2003).

² The final figure for the annual average PPI-FG is published by the Bureau of Labor Statistics (BLS) in mid-May of each year. This figure is publicly available from the Division of Industrial Prices and Price Indexes of the BLS, at (202) 691-7705, and in print in August in Table 1 of the annual data supplement to the BLS publication *Producer Price Indexes* via the Internet at <http://www.bls.gov/ppi>. To obtain the BLS data, click on Get Detailed Statistics, then click on Commodity Data under the Most Requested Statistics heading. At the next screen, Producer Price Index—Commodity, select the first box, Finished goods—WPUSOP3000, then scroll all the way to the bottom of this screen and click on Retrieve data.

³ $[138.9 - 140.7] / 140.7 = -0.012793$

⁴ $1 + (-0.012793) = -0.987207$

⁵ For a listing of all prior multipliers issued by the Commission, see the Commission's website, <http://www.ferc.gov>. The table of multipliers can be found under the headings "Oil" and "Index".

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Magalie R. Salas,
Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[ND-001-0009; FRL-7498-5]

Notice of Availability of Dispersion Modeling Analysis of PSD Class I Increment Consumption in North Dakota and Eastern Montana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: The EPA announces the availability of a dispersion modeling analysis of Prevention of Significant Deterioration (PSD) increment consumption in North Dakota and eastern Montana. EPA's air quality modeling analysis is contained in a report titled *Dispersion Modeling Analysis of PSD Class I Increment Consumption in North Dakota and Eastern Montana* (May 2003 Version). The results of this analysis show numerous violations of the Class I PSD increments for sulfur dioxide (SO₂) in four Class I areas. These Class I areas are the Theodore Roosevelt National Park and the Lostwood Wilderness Area in North Dakota and the Medicine Lakes Wilderness Area and Fort Peck Indian Reservation in Montana. The EPA is soliciting additional public comments on this analysis before taking any further actions.

DATES: Comments on the May 2003 version of the Report will be accepted for 30 days. Comments must be received in writing on or before June 23, 2003.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P-AR, Environmental Protection Agency (EPA), Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202. The Report and supporting documentation