

conditions of Subsection No. 39.3.1 of its Tariff.

Any person desiring to intervene or to protest this filing must file 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed in accordance with the provisions of Section 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E4-2643 Filed 10-14-04; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER98-855-004]

#### Wisconsin Electric Power Company; Notice of Compliance Filing

September 30, 2004.

Take notice that, on September 27, 2004, Wisconsin Electric Power

Company (Wisconsin Electric) submitted a compliance filing pursuant to the Commission's Order Implementing New Generation Market Power Analysis and Mitigation Procedures, issued on May 13, 2004, in Docket No. ER02-1406-001, *et al.*

Wisconsin Electric states that copies of the filing were served on parties on the official service list in Docket Nos. ER98-855-002 and 003.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all parties to this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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*Comment Date:* 5 pm Eastern Time on October 18, 2004.

**Linda Mitry,**

*Acting Secretary.*

[FR Doc. E4-2612 Filed 10-14-04; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP04-360-000]

#### Maritimes and Northeast Pipeline, L.L.C.; Notice of Telephone Technical Conference

October 6, 2004.

In an order issued on July 29, 2004,<sup>1</sup> the Commission directed staff to convene a technical conference to discuss Maritimes and Northeast Pipeline, L.L.C.'s proposed non-rate modifications to its tariff including, but not limited to, revisions to the fuel retainage percentage, revisions to the right of first refusal, and the proposed action alert. The technical conference was held on September 22, 2004.

A telephone technical conference will be held on Wednesday, October 13, 2004, beginning at 10 a.m. (EST) to further discuss issues concerning Maritimes' proposed modifications to its right of first refusal procedures, action alert, and accounting for its fuel tracker. The telephone number for the conference is 888-412-7888. The code is 2360313.

All interested parties and staff are permitted to call in. For further information please contact: David Faerberg at (202) 502-8275 or e-mail [david.fajerberg@ferc.gov](mailto:david.fajerberg@ferc.gov).

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E4-2614 Filed 10-14-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7828-1]

### 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 ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree agreement, to address consolidated lawsuits filed by the Sierra Club. *Sierra Club v. Leavitt*, Nos. 1:02CV00946, 1:02CV00947 and 1:03CV02410 (D. D.C.). In May 2002 and November 2003, Sierra Club filed

<sup>1</sup> *Maritimes and Northeast Pipeline, L.L.C.*, 108 FERC ¶ 61,087 (2004).