

Area Power Administration (WAPA) (PG&E Original Rate Schedule FERC No. 228), (2) the Interconnection Agreement, (3) the Wholesale Distribution Tariff Service Agreement and (4) related issues to these Agreements.

Questions about the conference and the telephone conference call arrangements should be directed to: Julia A. Lake, Office of the General Counsel—Markets, Tariffs and Rates, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8370, [Julia.lake@ferc.gov](mailto:Julia.lake@ferc.gov)

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

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the Record Communications; Public Notice**

August 27, 2004.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt

of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as

having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt communications recently received in the Office of the Secretary. The communications listed are grouped by docket numbers. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at <http://www.ferc.gov> using the eLibrary (FERRIS) link. Enter the docket number excluding the last three digits in the docket number field to access the document. For Assistance, please contact FERC, Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866)208-3676, or for TTY, contact (202)502-8659.

**Exempt**

Docket number	Date filed	Presenter or requester
1. CP04-41-000, CPO4-36-000 .....	8-18-04	Raymond E. Gallison, Jr.
2. CP04-223-000, CP04-293-000 .....	8-11-04	W. Mark Russo, Christopher M. Mulhearn.
3. CP04-391-000 .....	8-24-04	Wallace Danny Laffoon.
4. PF04-7-000 .....	8-24-04	David Swearingen.
5. Project No. 1971-079 .....	8-24-04	Michael J. Bart, P.E.
6. Project No. 1971-079 .....	8-24-04	Keith Kirkendall.
7. Project No. 1971-079 .....	8-24-04	Dorothy Mason.
8. Project No. 1971-079 .....	8-24-04	James C. Miller.
9. Project No. 1971-079 .....	8-26-04	Dorothy Mason.
10. Project No. 2064-000 .....	8-13-04	Vince Yearick.
11. Project No. 2064-000 .....	8-24-04	Steve Kartalia.
12. Project No. 12063-000 .....	8-24-04	Robert Easton.

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

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**ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-6655-4]

**Environmental Impact Statements and Regulations; Availability of EPA Comments**

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental

Policy Act, as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 2, 2004 (69 FR 17403).

**Draft EISs**

*ERP No. D-FTA-J54001-UT Rating EC2, Weber County to Salt Lake City Commuter Rail Project, Proposes a Commuter Rail Transit Service with Nine Stations between Salt Lake City and Peasant View, Funding, Weber, Davis and Salt Lake Counties, UT.*

*Summary:* EPA expressed environmental concerns because the draft EIS: does not analyze a full range

of alternatives; does not disclose enough of the CWA Section 404 process, but defers the process until later; does not disclose the effects of additional diesel emissions from locomotives on air quality; and does not disclose mitigation for the preferred alternative, particularly for wetlands, riparian woodland and air quality impacts from construction.

*ERP No. D-NOA-E91015-00 Rating LO, Reef Fish Fishery Management Plan (FMP) Amendment 23, To Set Vermilion Snapper Sustainable Fisheries Act Targets and Thresholds and to Establish a Plan to End Overfishing and Rebuild the Stock, Implementation, Gulf of Mexico.*

*Summary:* EPA has no objections to the proposed action.