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### Subpart B—Open seasons for Alaska Natural Gas Transportation Projects

#### § 157.30 Purpose.

This subpart establishes the procedures for conducting open seasons for Alaska natural gas transportation projects, as defined herein.

#### § 157.31 Definitions.

(a) “Alaska natural gas transportation project” means any natural gas pipeline system that carries Alaska natural gas to the border between Alaska and Canada (including related facilities subject to the jurisdiction of the Federal Energy Regulatory Commission).

(b) “Commission” means the Federal Energy Regulatory Commission.

#### § 157.32 Applicability.

These regulations shall apply to any application to the Commission for a certificate of public convenience and necessity or other authorization for an Alaska natural gas transportation project, whether filed pursuant to the Natural Gas Act, the Alaska Natural Gas Transportation Act of 1976, or the Alaska Natural Gas Pipeline Act, and to applications for expansion of such projects. Absent a Commission order to the contrary, these regulations are not applicable in the case of an expansion ordered by the Commission pursuant to section 105 of the Alaska Natural Gas Pipeline Act.

#### § 157.33 Requirement for open season.

Any application for a certificate of public convenience and necessity for a proposed Alaska natural gas transportation project must include a demonstration that the applicant has conducted an open season for capacity on its proposed project, in accordance with the requirements of this sub-part. Failure to provide the requisite demonstration will result in an application being dismissed as deficient.

#### § 157.34 Notice of open season.

(a) *Notice.* A prospective applicant must provide reasonable public notice of an open season, at least 30 days prior to the commencement of the open season, through methods including postings on Internet websites, press releases, direct mail solicitations, and other advertising. In addition, a prospective applicant must provide actual notice of an open season to the State of Alaska and to the Federal

Coordinator for Alaska Natural Gas Transportation Projects.

(b) *Contents of Notice.* Notice of the open season shall contain at least the following information, to the extent that such information is known or determined at the time the notice is issued:

(1) The general route of the proposed project, including receipt and delivery points, and any alternative routes under consideration;

(2) Size and design capacity (including proposed certificate capacity to the extent that it differs from design capacity), and any estimated phase-in dates for capacity beyond initial capacity;

(3) Maximum allowable operating pressure and expected actual operating pressure;

(4) Delivery pressure;

(5) Projected in-service date;

(6) An estimated unbundled transportation rate, stated on an MMBtu basis, for each service offered, including reservation rates for pipeline capacity, interruptible transportation rates, usage rates, fuel retention percentages, and other applicable charges, or surcharges, such as annual charge adjustment (ACA);

(7) The estimated costs of proposed facilities and cost of service, and expected return on equity used to justify the transportation rates;

(8) Negotiated rate and other rate options under consideration;

(9) Quality specifications and any other requirements applicable to gas to be delivered to the project;

(10) Terms and conditions for each service offered;

(11) Creditworthiness standards to be applied to prospective shippers;

(12) The date, if any, by which potential shippers and the prospective applicant must execute precedent agreements;

(13) A detailed methodology for determining the value of bids;

(14) The methodology by which capacity will be awarded, in the case of over-subscription, clearly stating all terms that will be considered, including price and contract term;

(15) Required bid information, whether bids are binding or non-binding, receipt and delivery point requirements, the form of a precedent agreement and time of execution, definition and treatment of non-conforming bids;

(16) The projected date for filing an application with the Commission; and

(17) All other information that may be relevant to the open season, including information pertaining to the proposed service to be offered, projected pipeline

capacity and design, proposed tariff provision, and cost projections, made available to or in the hands of any potential shipper, including any affiliates of the project sponsor and any shippers with pre-subscribed capacity, prior to the issuance of the public notice of open season.

(c) *Timing.* A prospective applicant must provide prospective shippers at least 90 days from the date on which notice of the open season is given within which to submit requests for transportation services.

#### § 157.35 Capacity allocation.

Capacity allocated as a result of any open season shall be awarded without undue discrimination or preference of any kind.

#### § 157.36 Open seasons for expansions.

Any open season for capacity exceeding the initial capacity of an Alaska natural gas transportation project must provide the opportunity for the transportation of gas other than Prudhoe Bay or Point Thomson production.

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG–208246–90]

RIN 1545–BD47

#### Allocation and Apportionment of Deductions for Charitable Contributions; Hearing Cancellation

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document provides notice of cancellation of a public hearing on proposed regulations relating to the allocation and apportionment of charitable deductions.

**DATES:** The public hearing originally scheduled for Thursday, December 2, 2004, at 10 a.m., is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Treena Garrett of the Publications and Regulations Branch, Associate Chief Counsel (Procedure and Administration) (202) 622–7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking and notice of public hearing that appeared in the **Federal Register** on Wednesday, July 28, 2004, (69 FR 44988), announced that

a public hearing was scheduled for Thursday, December 2, 2004, at 10 a.m. in the IRS Auditorium, Internal Revenue Service Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is proposed regulations under section 861 of the Internal Revenue Code. The public comment period for these proposed regulations expired on Tuesday, October 26, 2004. Outlines of oral comments were due on Tuesday, November 12, 2004.

The notice of proposed rulemaking and notice of public hearing, instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of Wednesday, November 17, 2004, no one has requested to speak. Therefore, the public hearing scheduled for Tuesday, December 2, 2004, is cancelled.

**Cynthia E. Grigsby,**

*Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

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## GENERAL SERVICES ADMINISTRATION

**41 CFR Parts 300-3, 302-2, 302-3, 302-4, 302-5, 302-6, 302-7, 302-9, 302-11, and 302-15**

[FTR Case 2003-309]

RIN 3090-AH91

### Federal Travel Regulation; Relocation Allowances

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Proposed rule.

**SUMMARY:** The General Services Administration (GSA) Office of Governmentwide Policy (OGP) continually reviews and adjusts policies as a part of its ongoing mission to provide policy assistance to the Government agencies subject to the Federal Travel Regulation (FTR). Accordingly, GSA created the Relocation Best Practices Committee (RBPC) to examine Government relocation policy. The RBPC consists of Government as well as private sector relocation experts and produced a complete package of recommendations affecting the statutes and regulations governing relocation. The following proposed FTR changes are the result of recommendations from the RBPC from

benchmarking against private industry, and from GSA, representing Governmentwide policy interests. The proposed changes are intended to keep Government relocation practices in line with current relocation trends and allow for better management of the Government relocation programs and costs.

**DATES:** Comments must be received on or before January 24, 2005.

**ADDRESSES:** Submit comments identified by FTR case 2003-309 by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Agency Web Site: <http://www.gsa.gov/ftr>. Click on the FTR Case number to submit comments.
- E-mail: [ftrcase.2003-309@gsa.gov](mailto:ftrcase.2003-309@gsa.gov). Include FTR case 2003-309 in the subject line of the message.
- Fax: 202-501-4067.
- Mail: General Services

Administration, Regulatory Secretariat (V), 1800 F Street, NW., Room 4035, ATTN: Laurie Duarte, Washington, DC 20405.

**Instructions:** Please submit comments only and cite FTR case 2003-309 in all correspondence related to this case. All comments received will be posted without change to <http://www.gsa.gov/ftr>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat, Room 4035, GS Building, Washington, DC, 20405, (202) 208-7312, for information pertaining to status or publication schedules. For clarification of content, contact Ed Davis, Program Analyst (Team Leader), Office of Governmentwide Policy, Travel Management Policy, at (202) 208-7638. Please cite FTR case 2003-309.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

The General Services Administration (GSA), Office of Governmentwide Policy (OGP), reviews the regulations under its purview to address current Government relocation needs and incorporate private industry policies and best practices, where appropriate. Relocation is an area that continuously changes. Parts of the relocation regulation, such as the storage time and temporary quarters allowance time should not stand alone but be considered in relation to each other. Changes such as these need to be made as part of a new comprehensive relocation regulation.

Much of private industry uses lump sum relocation payments for all relocation expenses except real estate

expenses. Thus, temporary quarters, miscellaneous expenses, and other payments have a small one-time administrative cost and do not need to be reconciled in a post-payment audit. The administrative savings and efficiency improvements of such systems are clear.

Private industry spends less time on its relocation packages because as a rule they are tiered, more flexible to handle exceptions, and relocation expenses rarely extend beyond one year because there are no extensions. The focus is on getting the transferee settled at the new location as fast as possible in permanent quarters. The main lesson that the Government can learn from benchmarking against private industry is that expediency is important. Currently, the Government permits Federal employees to voucher items from a move up to 4 years after the move (2 years to complete a relocation plus a two year extension). This is a drain on Federal accounting systems as monies must remain allocated to cover transactions.

The Travel Management Policy Division of OGP examined the issues facing agencies and employees in a relocation. Through benchmarking sessions with private industry as well as a RBPC consisting of many agencies' relocation policy experts, the current proposed rules emerged.

##### B. Proposed Changes

This proposed rule—

- Amends section 300-3.1 to add the terms and definitions for “accompanied baggage” and “unaccompanied air baggage” and change the definitions for “Household Goods (HHG)” and “Non-foreign area”;
- Amends sections 302-2.8, 302-2.9, 302-2.10, 302-2.11, and 302-2.110 to reduce the length of time to complete a relocation from two years to one year;
- Further amends sections 302-2.11 and 302-2.110 to reduce the length of time for relocation extensions from two years to one year;
- Adds two new sections to part 302-2, subpart A, and amends section 302-2.100 to require disclosure statements so that the Government will not pay for relocation expenses that are paid by another Government or private source;
- Adds seven new sections to part 302-2, subpart B, to define relocation programs, relocation payment systems, and relocation management reporting systems;
- Adds two new sections to part 302-3, subpart D, relating to separation travel timing and extensions;
- Revises section 302-4.300 to reduce the mileage rate for relocation to be in